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From the Author

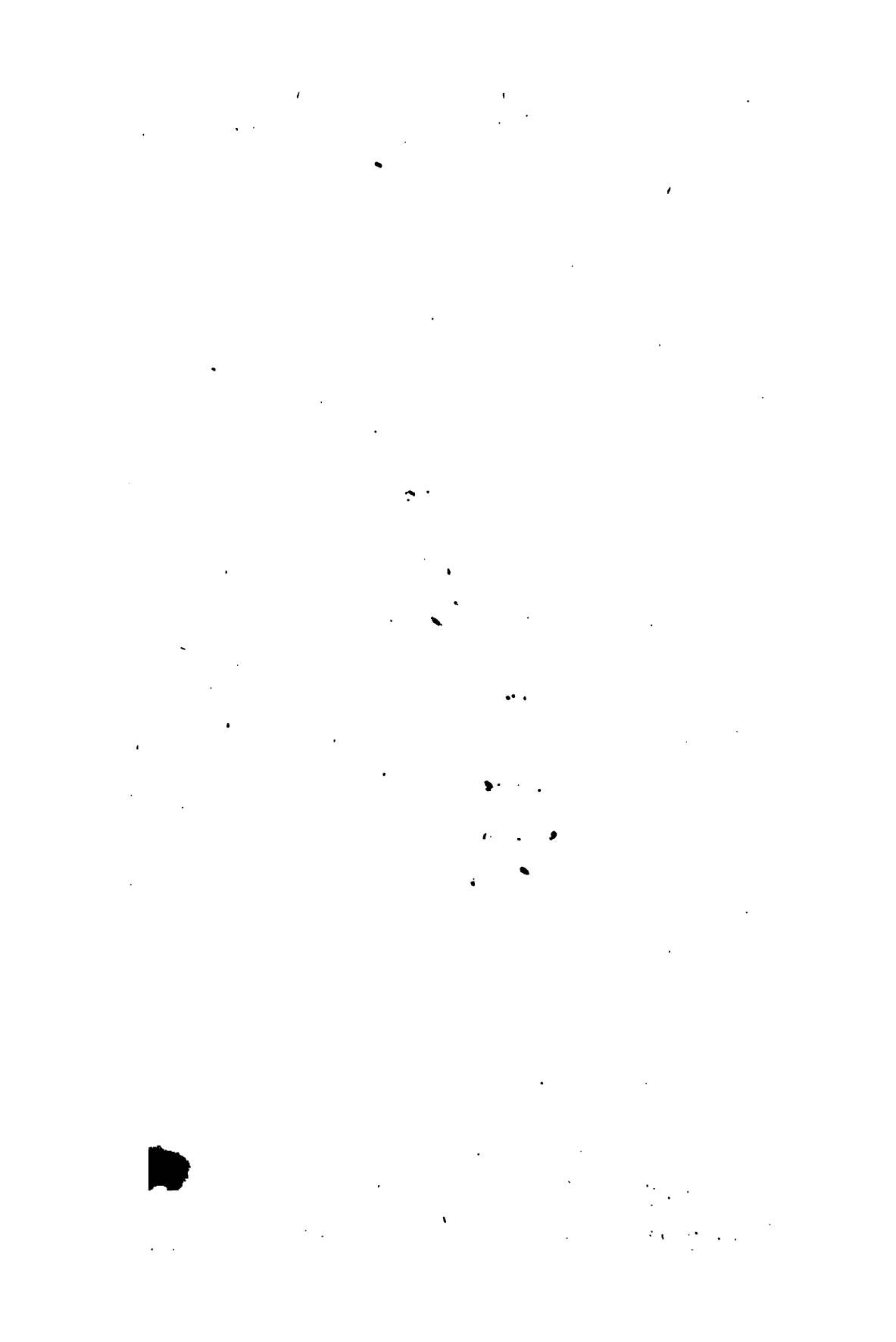
In this work the author insists
Church-Property was held in Trust
for the poor - that this trust still remains
recommends that such property should be
for their relief - see particularly pages
at the period of the publication the
so tickle, and the jealousy of such
especially among the clergy of the
that the author was compelled to
publication, which he did by every
means - "because", as he states in
Edition, printed in 1797, 4to. "his private
a friend of the Hierarchy had been
called in question" - adding, "such
expunged as had relation to the church
poor upon the Revenues of the Church
This (the suppressed) Edition is of
rarely to be met with -

Mr. Ruggles died at Spains-hall,
17 Nov: 1813 -

Handwritten signature

(Rug)

SEL.



THE
HISTORY
OF THE
POOR.

VOL. I.

THE UNIVERSITY OF CHICAGO

1909

THE
HISTORY
OF THE
POOR;

THEIR
RIGHTS, DUTIES, AND THE
LAWS RESPECTING THEM.

IN A SERIES OF LETTERS.

By THO. RUGGLES, Esq. F.A.S.

One of his Majesty's Justices of the Peace
for the Counties of Essex and Suffolk.

IN TWO VOLUMES.

VOL. I.

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TO THE
P U B L I C.

WHEN I at first determined to revise the following Letters, and to publish them in a volume distinct from that useful Agricultural Register *, wherein they first appeared; it was my intention to address them to Mr. Pitt, under an absurd persuasion, that a minister of state is expected, as it were, *ex officio*, to read those treatises which are, through the medium of the press, directed for his perusal; and also from a belief that if he did peruse, he might, from the detail of what has

* The Annals of Agriculture, by A. Young, Esq.

been done by the legislature for the poor, has been written by those whose observations on the subject have been preserved in print, or from the hints and observations scattered throughout the publication itself, find somewhat upon the subject, which when improved by his solid judgment, matured by experience, might, in the form of an act of the legislature, meliorate and improve the situation of the poor, and diminish the expences of their maintenance.

But reflection soon cured me of that presumption; a minister of state is the last person in the kingdom who can be expected to read books; he has more upon his hands, to read men, than he can easily get over in the daily rotine of business; in the mean time with respect to the *ardua regni,*

~~regni~~, he cannot possibly attend to a more irresistible monitor than the public voice; by which expression, neither the howling of a savage and licentious mob, or the cries of pretended patriotism, are intended; but the voice of that general opinion, which arises from general knowledge of the subject, that speaks always in a tone, and with an authority, which is irresistible, and then truly is, not the *vox populi* alone, it is the *vox Dei*.

To the Public therefore, this history of, and these observations on, the police respecting the poor, are properly dedicated; if any part of the detail contained in the following pages; if any of the observations, are worth the attention of the Public; if any of the hints here thrown out,

tend in the least degree to meliorate the condition of the poor themselves, or to save the Public any part of the vast expence which lies so heavy on the shoulders of the landed interest, consistent with the general comfort of the society at large; their discernment will see it, their good sense will apply it, and their voice will speak with irresistible persuasion to our rulers, that it may be done.

If nothing in these pages are worthy their attention; if no ideas can be collected from the variety of matter treated of, which tend to throw light on this subject of so great consequence to us, and to our posterity; the contrary presumption will be properly punished by the public neglect; and the insignificance of the publication will doom it to that oblivion,
in

TO THE PUBLIC.

in which many other tracts on the same topic are buried.

In such a case, the writer would have offended still more against the public advantage, had he by an address to the minister taken up any of his valuable time; but yet he wished through the medium of the press to talk with him on the subject; to ask him whither that vast increase of the poor's rate which became known to the public by the means of the returns from the overseers in the year 1787, is not worthy his attention? Whither the subject itself is of so trifling an import as to be always left to the determination of a number of members of the House of Commons, scarce greater than would meet as a committee on a private bill? or whither he receives any satisfaction from
a con-

vi TO THE PUBLIC.

a conduct, similar to that of the dog in the manger, doing nothing himself and not permitting any other person to be active on the subject?

The fate of Mr. Gilbert's bill and Sir William Young's plan, shows somewhat of this disposition; the first probably fell like other mis-shapen and disproportionate buildings, *more rust sua*; the last certainly contained some good regulations; was calculated to give a spur to our activity in the administration of the poor laws; and to recal into the execution of them somewhat of their original intent; the promotion of industry, and the encouragement of labour.

But public rumor then reported, that the minister intended to take the business under his own inspection, and for that reason he discountenanced

countenanced the indigested schemes of private individuals; we know not indeed, but at this instant he may be employed in digesting a code which shall comprehend in its scope every thing that can be expected from the union of great ability with an intimate knowledge of the subject; or possibly his mind may be made up; and after much investigation of, and attention to the matter, he may have come to this prudent resolution---I will do nothing---least done, like least said, is soonest mended. But yet this important business presses,---the poor rates are still rising throughout that part of the kingdom which cannot employ its poor in manufactures; and manufactures are by no means general, but local; besides, while not one quarter

quarter of the island receives any immediate benefit from the very flourishing state of our trade and manufactures, the three fourths which are in still water, feel themselves in danger from the very cause which creates the calm; and oppressed with an additional weight by the surges which circle round the pool, find it is with difficulty they can keep the head above water,

While the distant rumour of large wages makes the poor dissatisfied with those, which agriculture can afford, it creates a dislike to that labour which in their opinion, judging by comparison from vague report, how manufacture pays its workmen; is so poorly recompensed; this gives rise to idleness, which creates a call on the fund raised for their support;
hence

hence arise rates to which a four shilling land-tax is a trifling object; hence we know of instances where the poor rates amount to the annual rent of lands. Is not this a fact? Is it not a grievance? if this is not corrected in time of peace, where will the financier find the dividends in any future war to pay the interest of an increased debt? does not the subject therefore on this account demand the attention of a minister during the Halcyon days of peace?

The natural and political liberty of the mass of the people is clogged and diminished by the law of settlements; and in the opinion of some of the best writers, and strongest reasoners, on this important topic, it is unnecessarily and unwisely abridged; do not the poor laws on this account
also,

* TO THE PUBLIC.

also, demand the attention of the state? is it not just that every individual of the kingdom should enjoy as much freedom, as is consistent with the safety of the whole? But it may possibly be replied in the language of state prudence; this is not the time; see what the cry of liberty, and the call for freedom have done upon the continent; the answer is obvious; the cases are widely different; the one is a temporary anarchy arising from the abolition of all government; the other would be a recovery from a restraint inimical to the interests of labour and industry, flowing from the power, and enlightened mind, of the legislature itself; the one *would be* legal liberty, the other *is* excessive licentiousness; therefore let us not, by such a super-abundant

TO THE PUBLIC. 2

abundant caution, suffer state prudence to rivet our fetters closer, in proportion as our neighbours acquire a freedom, which they have not yet learned how to use with propriety, or to exercise with dignity.

This language proceeds on the presumption, that it is a point proved in the following sheets; that a partial repeal of the law of settlement, or such a modification of it as would permit the poor man to go where he could best find employment, would be beneficial to the interest of the state, as well as favourable to the liberty of the subject; and surely the point is fully and satisfactorily proved; if the united opinion of men of the most enlightened minds, and most instructed judgment, does in any case amount to proof; or if the
wealth

wealth and prosperity of a kingdom increases in a ratio with the aggregate of the money earned within the kingdom by the labour and employment of its inhabitants.

But while this claim for a greater degree of freedom is made for the poor, and a melioration of their condition is proposed in this respect; care has been taken to point out the means of preventing such a degree of liberty, generating licentiousness, by recommending the erection of schools of industry on the basis of the power given by the statute of Elizabeth to raise by assessment a sum of money to purchase a stock of wool, hemp, flax, &c. for their employment; an object which seems scarcely attended to by those who now carry into execution the
poor

poor laws; as appears by the very trifling total returned to the House of Commons by the overseers, as expended on that account throughout the kingdom; this surely is another object worthy the attention of a great minister; and it is an object that cannot generally be enforced without the assistance of the legislature; none of the subsisting statutes pointing out the means of doing it, distinct from those pests to the morals, health, industry, and activity of the rising generation, work-houses; which are horrible, although as the police respecting the poor is at present regulated, necessary evils.

The claims of the poor on society have also been glanced at in the following pages; by this expression, no abstract ideas of a claim to equality,

either in legislation or property, has been canvassed ; but simply that claim to a fair retribution for their strength and ability to labour, which is their only birth-right ; for it is a principle arising from necessity, that in all civilized societies there must be hewers of wood and drawers of water ; but those who fill up the lower, though useful rank of our fellow-subjects, infinitely exceed in number and in actual utility all the other classes of society put together ; their claims are therefore as serious rights, and they demand from the state full as serious a consideration, as any other claim upon it, for security of political liberty or private property ; the right to receive a compensation for their labour, adequate to their necessary wants, while they have

have a capability of labour is certainly due to them; and the right of maintenance from the more opulent classes of society when that capability to labour is passed, is another debt which society owes them.

In the discharge of this demand, has arisen that burthen which the landed interest in particular have great cause to complain of, the poor's rates; which in many districts, when united with the land-tax, and tithes, amount almost to a disinherison; for, although the occupier or tenant nominally pays the tithes and poor rates, the land in fact bears the weight; and the total is taken from the landlord's pocket; therefore while we are sinking under this treble load, is it not natural, is it not just, that we should enquire into the transac-

tions of past times, and search the records of antiquity, to explore on what principle of legislation, from what consent, virtual, or implied, of our forefathers, from what system of laws, human or divine, this ruinous fact, though apparent paradox, should happen? that from the same circle of land, the ecclesiastics claim a tenth of the produce, in most instances equal to a half of the rent; the state one-fifth; and the remainder of the reserved rent will not always satisfy the demand of the poor's rate. In the following pages, that enquiry has been made, and the mystery has been in some degree developed; more especially as to that part of the case which relates to the productiveness and application of those estates which were originally given to the clergy in

*is was
itted
the
author in
second
edition*

in trust for eleemosynary purposes; but if the laity were to claim from the legislature, that equity which the court of Chancery would decree on a bill filed in common cases, on complaint of a *cestui que* trust; that the trustees should fulfil those trusts for the purposes of which the estate was granted; a cry of, *the church is in danger*, much more serious, and distressing, would arise throughout the land, than any attempts of the sectaries have occasioned. This also requires the attention of the minister; but the pen of no individual can ever be expected to rouse *him* to action on this point; nothing but the public voice is equal to that effect; such an equitable decree of the legislature, clashing with the interests of so revered a portion of our fellow-subjects.

Another object worthy the attention of a minister of a great nation has been comprehended in this enquiry; an object not confined solely to any particular code of laws; but embracing all legislative acts whatsoever; the whole force and the energy of which lie entirely in the means provided for insuring their exact and uniform execution; what are all acts of parliament, which profess to comprehend every rank and denomination of subjects, but a rule of municipal conduct which *all* are to guide themselves by? and the vindicatory sanction contained in them is the compelling power; now, if that sanction is such, as when called into use, indicates a presupposed depravity in those who are to be governed; an injury is done in the very prelude;
and

and the test of the ordinance is vitiated *ab initio*; because the moral delinquency of the society is prejudged; such is the sanction which is expected to enforce the execution, not only of the poor laws, but of most of the penal clauses in the statutes at large; they are to be enforced by penalties, on the information of fellow-subjects, whom the legislature supposes will degrade themselves to become informers; not for the good of the public, not from patriotic, moral, or religious motives; but from the vilest of all; from the fordid motive of gain, it is supposed, that a subject of the state will place his neighbour under the correction of the law; this general idea disgraces the nation; and the principle

is proved by experience to be ineffectual.

The manufacturing and commercial interests of the nation, seem to have understood mankind better, than the statesman; or at least they have formed a better opinion of their neighbours; for, in the acts of parliament, to prevent frauds, and abuses, amongst the manufacturers and artisans, they have modelled the penal sanction on a different principle; the whole penalty is given to the poor; and they are, in a committee, empowered, to appoint an inspector, whose duty it is to go his rounds, to see the regulations enforced, lay his informations, and see the penalty distributed according to the act; the strict execution of these acts of the legislature,

legislature, is a proof of the efficacy of the means used; but the penal sanction of laws, is not intended, like cobwebs, to catch flies only, and suffer the larger insects to break through the web; it is a net for all; and equally intended as a compulsive regulation to the *poor*, as to the *rich*, to the *overseer*, as to the *magistrate*; a hint therefore from these regulating statutes might give energy to the poor laws, and vigour to the execution of them; or at least would increase the revenue for their maintenance, from the proper sources; the pockets of those who undertake an office, but neglect the duties annexed to it.

On the whole; the public will read in the following pages, a summary

mary history of the duties of the poor to, and their claims from, society; throughout that part of this kingdom subject to the poor laws; traced from the earliest times, in which the poor, and their interests, have been considered by the legislature; and continued to the close of the last parliament; together with a transient view of the thoughts, and opinions, of those whose writings on the subject have been handed down to us; interspersed with observations as the subject gave rise to them; together with such reflections as have arisen from an attention to the whole of the evidence here submitted to the public, compared with the opinions of those men, eminent for their abilities and the
purity

purity of their intentions, who have made this enquiry an object of their contemplation.

The present critical situation of this kingdom, so different from that peaceful and prospering state which it occupied during the period through which much the greatest part of the following treatise was written; calls upon every man, whatever may be his class or condition of life, to support by all the means in his power, the constituted government of his country; which can no way be so effectually done as by promoting industry, economy, and good morals among the poor; if in times of peace and prosperity this is the more particular duty of the magistrate; in the commencement of a war the principle of which is as novel as its event

is uncertain; it becomes a crime to neglect that, which in times of peace would be thought no immaterial obligation; and if the duty of a minister should impel him in those times to make such regulations in the internal police of the kingdom, as to call forth the greatest possible production of its industry, with which the prosperity and happiness of all ranks in the state must be connected; much stronger should he feel that impulse in the beginning of such a war as the present; the consequences of which to our religion, our morals, our laws and constitution, no human eye can foresee; but the immediate effect of which on our trade, our commerce, our estates and our property, we must all soon feel; therefore there can be no time or situation

situation more proper than the present for an enquiry of the kind here offered to the public; although there may be many enlightened minds in this kingdom whose abilities and means of information may qualify them to offer a more satisfactory treatise.

T. R.

CLARE,
March 12, 1793.

L E T T E R S

ON THE POOR ;

THEIR

RIGHTS, DUTIES, AND THE
LAWS RESPECTING THEM.

L E T T E R I.

DEAR SIR

Clare.

HEREWITH you receive the first letter of a series, which shall comprehend an investigation of the causes that produce so much misery and distress among our agricultural poor ; which will be accompanied, during the continuation of the subject, with hints tending to a plan, that it is imagined, may render their situation more comfortable, and lessen that heavy burthen of rates, which impoverish the landed interest, and in fact anticipate the source of our political expenditure.

VOL. I.

B

I began

I began the inquiry during the former part of the winter, with the intent of sending it to the Editor of the Annals of Agriculture ; but doubted with respect to the propriety of the subject for that compilation ; until having the pleasure of your company at Clare, you indicated a wish that it might be sent you.

It very forcibly struck me, that during the solitude of a long winter, spent in the country, in the lapse of time which daily passes away between the hours allotted to refreshment and repose ; that mind must be torpid and inactive, in which many ideas do not arise that cannot be referred to personal views, or selfish considerations, and which are not occasioned by objects of business or pleasure ; but take their origin from better motives, and impulses of a higher nature ; from reflections on the relative state our happiness is placed in, with respect to that of our friends, and more immediate neighbours in the first place ; of our countrymen in the next ; and ultimately, not only of the human race, but of the whole animal creation.

One serious cause must therefore arise from this source, to taint the happiness of a life
passed,

passed in retirement ; as our ideas take their colour from the more immediate objects of our observation, it is impossible but that some thing of a sombrous and unpleasant hue must tinge the mind, while it attends to what passes in that class of society which is more immediately subject to our observation ; and while we perceive and feel, as it were, the sordid misery and distress of our near, though humble neighbours, it is impossible that a mind rightly disposed, whose best energy is to be alive to the woes of others, can enjoy uninterrupted ease, while so much misery is so near the threshold ; charity can do much, but cannot do every thing, nor for every body, although seconded by the best intentions, and most liberal purse ; objects of misery, like mountain above mountain to the weary traveller, arise to the view ; creating despair of attaining to the end of their wishes, even in those who possess the strongest and most liberal minds ; and recalling necessary and honest prudence to her seat. But still one source of beneficence may be opened without fear of impoverishment, and the powers of the mind may be

called to the aid of charity : Is it impossible to explore the causes of that misery, which we discern among our poor neighbours? And the causes being explored, may not a remedy be pointed out? The attempt is worth the labour, although the event should not be successful; this one fact being too glaring for humanity to be blind to; that while a tenth part of our countrymen enjoy the comforts, or revel in the luxuries of life, the patient and industrious multitude are sinking beneath a load of poverty and wretchedness. ✓

Reflections, such as the preceding, gave rise to this inquiry; I thought that a few of the leisure hours of a country life, could not be better employed, than in an attempt to investigate the causes of that misery, which we see among our working poor, and to point out some probable and practicable means of relief and amendment of their condition; conceiving also that the ideas and hints which might arise from such an inquiry, could not make their appearance with so much propriety in any publication as in the *Annals of Agriculture*; because the object of it respects
the

the happiness of a class of our fellow-creatures, without whose manual labour the fruits of the earth could neither be sowed or reaped ; and also recollecting that if a ray of reason is elicited in the progress of the inquiry, it is due to the shrine of Agriculture, which, if not wisdom herself, bears a strong resemblance of her divine original : I therefore dedicate the following pages, on this too much neglected subject, to your service, and your readers patient candour.

The page of history reveals to us this melancholy and awful truth, that the happiness of millions, has, in all ages, been at the beck and in the power of units, and those often the meanest and worst of mankind ; myriads have fallen by the sword, disease, and famine, the victims of war, led on to their destruction by wretches who have disgraced the human race ; but our inquiry has nothing to do with the dire effects of zeal, despotism, or political revolution ; our employment lies in the vales of peace and plenty ; our purpose is to investigate this problem, why our laborious poor are so wretched ? Does the complaint arise from physical causes, or from the

regulations of society? Can society, by laws, regulations, example, or by any and what means, meliorate their condition?

The unceasing laws of nature must, in every climate, have their energy; effects must every where be analogous to, and flowing from their cause; gradations of comfort arise in civilized society in due proportion to the degree of civilization; the squalid inhabitants of Magellan's Streights, although so wretched and negatived in appearance, in all that makes life supportable, shares, doubtless, a degree of happiness in proportion to his capacity of enjoyment; that capacity enlarges as civilization prevails, and means of obtaining the objects of our wishes also increase; in this island a disposition to relish the comforts of life, the meanest of us equally possesses with the greatest; surely, therefore, those comforts correspondent with our situation, should not be removed at such a distance from the grasp of any of us, as to be attainable only by a breach of the laws of society.—In some climes, favoured by a more direct approach of the solar ray, the various articles of dress are an incumbrance, and the native has no care what raiment he shall

shall cloath himself with : in such climate he may, literally, imitate the lilies of the field, which neither toil nor spin, and are cloathed only in the attire nature prepared for them ; how different is the necessity in this higher latitude ; scarce a natural day passes away, even during the summer solstice, but our comfort and health require that cloathing, to obtain which the price of many day's labour must be paid ; how much stronger does urgent necessity require warmth of cloathing in the dreary leafless winter, when every gale wafts rheumatism and ague ; and what is assential to the health and preservation of the parent, is surely not less so for the child ; hence, in this country, arises one unceasing call for no inconsiderable share of the price of labour ; a call sanctioned as well by an attention to the preservation of life, as by the dictates of decency, the result of ideas connected with civilization.

Another strong and urgent demand on the scanty revenue of the poor man, is the expense of fire ; in more southern latitudes the whole year may be passed, and it may not be an article essential to the life or health of the inhabitant : possibly in climates included in 90 of the

have no honest means of increasing their husband's and parent's income.

But this is not all ; the occupation of the labourer, as well as the nature of his being, subjects him to acute illness, to chronic disorders, and at length to old age, decrepitude, and impotence ; the instant any of these unavoidable misfortunes of life attack him, the source of every comfort is stopped, and without the aid of his more opulent neighbours, or, what is infinitely to the credit of this nation, without the interference of the godlike laws of his country, this useful class of our countrymen would sink in the arms of famine or despair.

These, I apprehend, are the physical causes of that depth of wretchedness and misery which we too often see in the cottages of the poor ; not to mention the wayward nature of the human disposition ; the example and prevalence of vicious habits ; the fascinating charms of intoxication ; the consequential habits, idleness and dissipation ; the indolence which is concomitant with a broken spirit ; and that carelessness and indifference, to what may happen in future, which is too apt to arise in the mind that cannot see its way through present difficulties ;
these

these are frailties inseparable from the nature of human beings, which increase and aggravate their distress, and which nothing but a proper sense of religion can remove ; and neither the power of the legislature or the wisdom of the philosopher can teach to alleviate.

But it is not from climate, it is not from the frailties of human nature alone, or the necessary wants and demands which the preservation of life and health inculcates to the mind of man, and the insufficiency of the earnings of bodily labour to attain the gratification of them, that the appearance of the labourer indicates such wretchedness ; the laws, the customs, and habits of society, are all contributory to this effect ; and the excess of civilization occasions distresses superior, yet similar to what the savage experiences in his state of nature ; superior, because *his* distress is not aggravated by a near view of the tantalizing contrast, the enjoyments of opulence and luxury ; similar in the effects, which are, cold, hunger, and disease ; in the one instance, the savage must be satisfied with the order of nature, which establishes no law of appropriation, but occupancy ; he, consequently, cannot blame the laws and habits of society, which aggravate, if they do
not

not, in fact, give rise to the misfortunes of the English labourer ; this is an assertion which demands an inquiry, and if the principle is established by such an investigation ; should not those laws, habits, and customs be modified, to correspond with the feelings of humanity ?

In the first place, it is apparent that bodily strength is the only patrimony the labourer enjoys ; this is to supply him and his family with the necessaries of life : the same patrimony, in conjunction with the opportunity of exerting the faculties of the mind, the inhabitant of an uncivilized country possesses ; the first is restrained by the laws from trespassing on *appropriated* property, and in this country all that can be called property, is *appropriated* ; the other has ample scope for the exercise of his faculties, both of body and mind ; the gifts of nature lying open to the first man who has strength or dexterity sufficient to occupy them ; here is a manifest advantage which the savage possesses, and the laws of his country have taken from the English labourer : but have not the laws, the maxims, or the benevolence of society, given
to

to the poor some equivalent, instead of the opportunity of obtaining property by occupancy? the objects of which being, in every instance, already occupied, he is reduced to the sole means of bartering the sweat of his brow for the necessaries of life; they surely have, and an attempt shall be made to point out the substitutes.

The labourer is worthy of his *hire*, because he gives for it his sole property, his strength and his time, reserving to himself only sufficient intervals for refreshment and repose; what ought therefore to be his *hire*? The answer is obvious; the necessaries and comforts of life, equal to the reasonable wants of that class of society among which he ranks; does he receive recompence for his labour equivalent to such a reasonable expectation? The examination of the fact shall be the answer to the question; and that the inquiry may be as close to the point as possible, let us examine in the first place, how the retributions for labour were paid in days of yore; whether they then stood in the same proportion with the necessaries of life, in times, when luxury was not so universally diffused,
and

and the cottager not having the sight of the rich man's enjoyments so immediately under his eye, might be supposed to be better contented with his homely fare, than in these days, when the strong expressions of the poet are verified in every village :

—Sæviôr armis

Luxuria incubuit, victumque ulciscitur orbem.

L E T T E R II.

FLEETWOOD's Chronicon Pretiosum will assist us in this inquiry ; and, that the conclusion of the argument may not be supposed to rest on the foundations of fancy, some extracts from that useful compilation shall be produced.

The intention of the author was not much dissimilar to that of the present tract, except that he had a point to prove, we have only a subject to examine ; and, to prove his point, he has searched not only all the publications then extant on the subject, but also many manuscript accounts of different monasteries, where

where the prices of the different articles of life were regularly inserted, and in some instances where the prices of labour formed also part of the account ; but no certain comparative view can be formed on this head until about the middle of the fourteenth century, when by an act of parliament passed in the 23d year of Edward the Third, the wages of the labourers were regulated, on account, as the preamble of the statute recites, of the great increase of wages occasioned by the plague : by the first chapter, every person able of body, and under the age of sixty, not having means of maintaining himself, is bound to serve those who are willing to employ him, at the wages which were usually given six years before the plague, and stated to be,

s. d.

To haymakers and weeders, by the day,	0	1
Mowing meadows, by the acre or day,	0	5
Reapers of corn, in the first week in		
August, by the day,	-	0 2
In the second week, and to the end of		
the month,	-	0 3
Threshing a quarter of wheat or rye,	0	2½
Threshing		

and the cottager not having the sight of the rich man's enjoyments so immediately under his eye, might be supposed to be better contented with his homely fare, than in these days, when the strong expressions of the poet are verified in every village :

—Sæviôr armis

Luxuria incubuit, victumque ulciscitur orbem.

L E T T E R II.

FLEETWOOD's Chronicon Pretiosum will assist us in this inquiry ; and, that the conclusion of the argument may not be supposed to rest on the foundations of fancy, some extracts from that useful compilation shall be produced.

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s. d.

To haymakers and weeders, by the day,	o	1
Mowing meadows, by the acre or day,	o	5
Reapers of corn, in the first week in		
August, by the day,	-	o 2
In the second week, and to the end of		
the month,	-	o 3
Threshing a quarter of wheat or rye,	o	2½
Threshing		

Threshing a quarter of barley, beans,
pease, or oats, - - - o 1 $\frac{1}{2}$

That excellent model for all parochial antiquities, Sir John Cullum's History and Antiquities of Hawstead, will also assist in forming a more accurate idea of the proportional prices of labour and provisions in Suffolk throughout some part of this century :

	s.	d.
1387, Wheat threshed per quarter,	o	4
Other grain, - -	o	2
A reaper per day, - -	o	4
Man filling dung-cart three days,	o	10 $\frac{1}{2}$
1389, Wheat reaping per acre, -	o	7
Mowing an acre of grafs, -	o	6

These prices are without meat, drink, or other courtesy demanded *.

The prices of provisions, and the necessities and comforts of life, were, during the same century, as follow :

A. D.	£.	s.	d.
1309, A pair of shoes, -	o	o	4
1314, A stalled, or corn-fed, ox,	1	4	o

* Hist. and Antiquities of Hawstead, p. 188. 190.

A grafs

		£.	s.	d.
1314,	A grafs fed ox, -	0	16	0
	A fat stalled cow, -	0	12	0
	A fat sheep unshorn, -	0	1	8
	A fat sheep shorn, -	0	1	2
	A fat hog, two years old, -	0	3	4
	A fat goose, -	0	0	2½
	Ale regulated by proclamation, in respect to price a gallon; - -	0	0	1
1338,	Wheat a quarter -	0	3	4
	Barley a quarter, -	0	0	10
	Pease and beans a quarter, -	0	1	0
	Oats a quarter -	0	0	10
	White wine a gallon, -	0	0	6
	Red wine a gallon, -	0	0	4
1387,	Barley, at Leicester, a quarter, - -	0	2	0
1388,	Lactage of a cow with its calf, one year and a hen, -	0	6	8
	Wheat per quarter, -	0	4	0
	Oats per quarter, -	0	2	0
	An ox, - -	0	13	6
	A boar, - -	0	1	8*

* Fleetwood's Chron. Pret.

It is not an easy matter to determine, from the prices specified in Fleetwood, what was the average rate, at which provisions were sold, the year parliament regulated the price of labour; for about the middle of this century, years of dearth and plenty almost alternately follow each other, and the pestilence also occasioned a considerable difference; but the articles extracted are in those years, when none of these causes affected the price of provisions, and may therefore be esteemed a tolerable exact average for the fourteenth century.

In the beginning of the next century in the year 1404, the pay of a labourer was sometimes two-pence, sometimes three-pence, as appears from a computus of the Prior and Canons of Burcheſter; and in

	<i>℥.</i>	<i>s.</i>	<i>d.</i>
1446, Labourers without diet, -	0	3	$\frac{1}{2}$
From Michaelmas to Eaſter, 1 d. leſs.			
A mower in harveſt, without			
diet, - - -	0	6	
A reaper and carter, without diet, 0	5		

The

The prices of necessaries and provisions from the same computus :

		s.	d.
1407,	A cow, - - -	7	0
	Two bushels of wheat, -	0	10
	Five bushels and a half of salt, 3	4	$\frac{1}{2}$
1425,	Pease per quarter, -	2	2
	Gallon of ale, from id. to -	0	$1\frac{1}{2}$
	Gallon of red wine, -	0	8
	Gallon of sweet wine, -	1	4
	Two yards of russet cloth for the shepherd, - -	2	2
	Thirty pair of winter gloves for the servants, - - -	4	0

The following from other computus's:

1444,	Wheat a quarter, - -	4	4
	Malt a quarter, - -	4	0
	Oats a quarter, - -	1	8
	Fitch bacon, -	1	8
1445,	Wheat a quarter, - -	4	6
	Oats a quarter, -	2	0
	Gallon of ale, - -	0	$1\frac{1}{2}$
1447,	Wheat a quarter, -	8	0
	Oats a quarter -	2	$1\frac{1}{2}$
1448,	Wheat a quarter, -	6	8
	C 2		1448,

			<i>s.</i>	<i>d.</i>
1448,	Oats a quarter,	- -	2	0
1449,	Wheat a quarter,	-	5	0
1450,	Wheat a quarter,	- -	8	0
	Oats a quarter,	- -	2	0
	Gallon of ale,	-	0	1
1463,	Wheat a quarter,	- -	2	0*

In the sixteenth century, only two instances are to be found of the wages of a labourer, one in 1514, the other in 1557.

<i>A. D.</i>		<i>s.</i>	<i>d.</i>
1514,	Labourers from Easter to Michaelmas, except in harvest,	0	4
	Ditto from Michaelmas to Easter, - -	0	3
	A mower in harvest, with diet, 4d.		
	without, - -	0	6
	A reaper and carter in harvest, with diet 3d. without,	0	5
	A woman labourer, and other labourers, with diet, $2\frac{1}{2}$ d.		
	without, - -	0	$4\frac{1}{2}$
1557,	Threshing a quarter of wheat,	1	1
	Ditto of rye, -	0	10
	Ditto of barley, - -	0	5

* Fleetwood's Chron. Pret.

Prices

Prices of provisions, &c. in the 16th century:

		£.	s.	d.
1512,	Oats a quarter,	-	0	2 0
	Beans a quarter	-	0	4 0
1513,	Oats a quarter,	-	0	2 4
	Beans a quarter,	-	0	4 2
1515,	Beans a quarter,	-	0	4 2
1533,	Fat oxen,	-	1	6 8
	Fat weathers,	-	0	3 4
	Fat calves,	-	0	3 4
	Fat lambs,	-	0	1 0
	Beef in London 2½lb. or 3lb.	0	0	1
	Mutton per quarter in London,	-	0	0 8
1557,	Wheat a quarter before harvest,	-	0	8 0
	Wheat a quarter after harvest,	-	0	4 0
	Malt a quarter before harvest,	-	0	5 0
	Malt a quarter after harvest,	0	4	8
1558,	A good sheep,	-	0	2 10

In this inquiry there is no occasion to enter into an explanation of the comparative value of money in the three centuries, through a

great part of which these notices have been taken ; because the prices of labour and provisions have been valued by the same species of real or imaginary coin, and therefore the value of such, although very different from what bears the same denominations in this century, is quite competent to illustrate the ratio, the prices of labour bore at these periods to the prices of the necessaries of life.

L E T T E R III.

HAVING therefore, at different periods, through a lapse of near three hundred years, noticed the prices of labour, and the contemporary prices of the necessaries of life, in such instances as Fleetwood's publication has produced, except in those years where accidental dearth or plenty considerably raised or depressed their price ; I should apprehend, that if any person will be at the trouble of comparing through these periods, the price of labour, with the necessaries of life ; and will also make the same comparison in any of the

the last ten preceding years; he will not doubt the truth of the following assertion; that in this civilized age, when riches abound, and all the liberal and ornamental arts receive prices and encouragement superior to the experience of any æra that is passed, the agricultural poor not only do not receive wages equal to their services, but also that they are not paid in the same proportion to the price of the necessaries of life, as they were throughout the three first centuries, in which it has been in our power to obtain any certain information of the proportional prices of labour, provisions, and cloathing, how far this deficiency has been supplied by charitable contributions, uncertain, and permanent, and by the revenue, which has for near two centuries, been collected by legal authority, will be explained by the following pages.

✓ This fact recurs to a principle mentioned towards the beginning of this inquiry, that there is a tacit contract between men, when societies, states, and kingdoms, are in their infancy; that to him whose only patrimony is his strength, and ability to labour, that patrimony should be equal to his comfortable ex-

istence in society, in those relations in which he may be engaged as a son, husband, and father; since we find, as far back as the fact can be traced in this kingdom, that it was so four hundred years ago, which is an æra considerably nearer the infancy of society in Britain, than the latter part of the nineteenth century; and we find also that it continued in a parallel proportion three hundred years, during a period when the poor were not tantalized by the view of luxury round their cottages, while themselves and families starve, unless for their sustenance they risk the consequence of a breach of the laws, instituted by society for the protection of property.

Assuming it, therefore, as an undoubted axiom, that the labour of man, who has nothing but his labour to depend on for his sustenance, should be equal to that purpose, when in a state of health; and that such is an implied or virtual contract with man, when he submits to the regulations of society and civilization; the next topic of inquiry shall be, what substitute for that ability to labour can he claim from society, when deprived of the power of earning his bread, by accident, sickness,

ness, decrepitude, or old age? the answer is obvious, and presses itself on the mind, the instant the attention is employed on the subject; that charity *was* his only asylum, and this in the early ages of society, and in the dawn of Christianity, which esteems it superior to faith and all other good works, *was* a very important substitute, and probably produced a fund equal to the demand on it; but this fact shall not rest on assertion only, but on the more substantial foundation of historic proof.

To be convinced that this was the case, it will be necessary only to turn our attention to the revenues of the church, in the early periods of the establishment of the Christian religion in this country, and we shall perceive that they were all, or by much the greater part, *elemosynary*, and the distribution of them was intrusted by the pious and charitable laity, to the clergy residing and discharging the duties of priesthood in their neighbourhood, to be applied for the redemption of the souls of the donors and their ancestors, in the purposes of religion and charity; and that under such intent, and through such application, they formed a considerable fund

fund for the relief of the aged and debilitated poor; the following notices extracted chiefly from Selden's *Treatise on Tithes*, and Dugdale's *Monasticon*, will, if not absolutely prove, undoubtedly form a strong foundation for our belief of, the existence of the fact:—" Ut
 " ipsi sacerdotes a populis suscipiant decimas,
 " et nomina eorum quicunque dederint scripta
 " habeant, et secundum auctoritatem canonica-
 " cam coram testibus dividant; et ad orna-
 " mentum ecclesiæ primam eligant partem,
 " secundam autem ad usum pauperum et pere-
 " grinorum per eorum manus miserecordi-
 " tur cum omni humilitate dispensent, tertiam
 " vero sibi met ipsis sacerdotes reservent *."

The above was extracted from an ancient collection of canons, written about the time of Henry I.

And in a volume, which belonged to the abbey of St. Austin, in Canterbury, there is a

* The priests themselves may receive the tithes from the people, and record in writing the names of those who give, and divide them in the presence of witnesses, according to canonical authority, and let them take the first part for the ornament of the church, and distribute the second, with their own hands, compassionately and humbly, for the use of the poor and the strangers, the third part the priests may reserve for themselves.

chapter

chapter *de divisione decimarum*, with a similar declaration; these ordinances appear to be collected about the time of King Athelstan.

And that this was not a local rule is apparent from the following circumstance; that on an application of St. Augustine to Pope Gregory, respecting bishops, *qualiter cum suis clericis conversentur, vel de his quæ fidelium oblationibus accedant altari, quantæ, debeant fieri portiones?* Whereto the Pope answered, that the custom is generally to make a quadripartite division; for the bishop, for his clergy, for the poor, and for reparation of churches.

These, or similar ideas, seem also to have prevailed in the eastern churches, as their revenues are stiled by some of the fathers ἡ κτήσις τῶν πτωχῶν, the possession of the poor; and by the Greek lawyers πτωχικά, or provision for the poor; and hence it is that diverse schoolmen dispute the question, whether the dominion or property of the church be in the clergy; and whether what they give to the poor be due *ex debito justitiæ*, or, *debito charitatis*.

The statutes of the kingdom also strongly corroborate this idea; on what other principle
of

of justice could the sixth chapter of the fifteenth statute of Richard the Second be formed? The translation of which, from the old French, follows:—Item, because divers damages and hindrances oftentimes have happened, and daily do happen, to the parishioners of divers places, by the appropriation of benefices of the same places. It is agreed and assented, that in every licence to be made, from henceforth, in the chancery, of the appropriation of any parish church, it shall be expressly contained, and comprised, that the diocesan of the place, upon the appropriation of such churches, shall ordain, according to the value of such churches, a *convenient sum* of money, to be paid and distributed yearly of the fruits and profits of the said churches, by those that shall have the said churches in proper use, and by their successors, *to the poor parishioners* of the said churches, in aid of their living and sustenance for ever, and also that the vicar be well and sufficiently endowed.—This statute is confirmed by 4 Henry IV, cap. 12.

Etymology also lends some assistance to prove that the pious donors had universal charity

rity in their contemplation, and not that more confined idea which limits its bounties to ecclesiastical purposes only. All, or by much the greatest part, of the endowments, ample as they were, of which Dugdale, in his *Monasticon*, has preserved copies, or abstracts, are declared to be *in perpetuam eleemosynam*; which, from its derivative *ελεεινω* *miserere*, to compassionate, or take pity on, indicates something more than a partial attention to the interests of those who take on themselves the sacred office of spiritual directors, as does the word itself *ελεημοσυνη* in the first verse of the sixth chapter of St. Matthew; but to give, if possible, still firmer sanction to this idea, the opinion of an author shall be referred to; whose authority, on all points, respecting the legal antiquities of his country is nearly conclusive; he says thus:—"At the first establishment of parochial clergy, the tithes of the parish were distributed in a fourfold division; one for the use of the bishop, another for maintaining the fabric of the church, a third for the poor, and a fourth to provide for the incumbent. When the sees of the bishops became otherwise amply
 "endow-

“endowed, they were prohibited from demanding their usual share, and the division was in three parts only *.”

Other authorities, venerable, as well from the rank the writers filled in society, as from the dignity of remote antiquity, might be produced in proof of this claim for the aged and impotent, to a share of the vast revenues which have been granted to the ecclesiastics; were it the purpose of the present inquiry, either to encourage the assertion of such a right on the behalf of the poor, or to excite a dissatisfaction with their situation, among a class of our fellow creatures, who in all civilized states enjoy a very scanty portion of the comforts of life; but those, by whom these pages will most probably be read, are the immediate task-masters of the poor, whose situation in society, is considered with no small share of compassion by the writer of this investigation; who hopes that it may make some impression on their master's humanity; and if they give credence to the assertion that the poor have a reasonable expectation of better wages than

* Blackstone's Commentaries, Book I. Chap. ii.

they

they at present receive ; and had, in the earlier days of society, a claim to a portion of what is now differently appropriated ; it may tend to make the pittance which is paid for their labour more adequate to their wants ; or under some charitable masters make their yoke easier, and their burthen lighter.

L E T T E R IV.

I Nstances of the prices of labour, and the contemporary prices of provisions have been continued, by the assistance of the *Chronicon Pretiosum*, to a later æra than that in our ecclesiastical history ; when the 31st statute of Henry VIII. ch. 13. laid the axe to the root of all monastic possessions in this kingdom, and transferred their estates and rights to the crown ; the effect this total change of property had on the situation of the poor remains to be considered.

It will, at first sight, be thought, and is indeed believed to be the fact, by those who have

have superficially investigated the history of this period, with a view to the present inquiry; that this act, at once, struck off many of their comforts, and deprived them of many sources of assistance, which are supposed to have flowed to the poor in numberless streams, from the kitchens, refectories, stores and cellars, of the monastries; and that the different acts of Parliament for their relief, which reflect honour on the annals of our history, towards the end of the sixteenth and beginning of the ensuing century, arose from a necessity, occasioned by this capital stroke of the 8th Henry's despotic authority; but the history of the times does not authorise the conclusion.

It rather appears that what streams did, in fact, flow from these ecclesiastical fraternities to the poor of the kingdom, were shallow and penurious; at the best, the coarse offal of a homely board, and by no means an equivalent for the third or the fourth of their income, which has been already alluded to; indeed, if the mode of life which was pursued by the nobility and gentry of this age be considered; if we recollect, that the metropolis was not then, and, indeed, has not been till lately, that
over-

overgrown monster, which engulfs, within its maw, a property that, spread on the humble board of the cottager, would feed millions; but, on the contrary, almost every village then boasted, as its constant inhabitants, one or more substantial, if not ennobled landlord, whose hospitable seat bore a semblance, according to the riches and rank of the owner, to that æconomic profusion, which, by the instance so happily preserved for the information of posterity, by Dr. Percy *, appears to have graced the character of the fifth Earl of Northumberland, who lived near the beginning of this century; we shall not, if similar instances, in proportion to rank and fortune, be supposed to be prevalent, imagine the poor to have much felt the want of such assistance, as the heads of monastries permitted to be given away at their gates; which, from the relations of modern travellers, who have lately visited those countries on the continent, where monastic institutions are still in full force; and especially from the observations of

* The Regulations and Establishment of the Household of Henry Algernon Percy, 1512. Printed for Dr. Percy the present Bishop of Dromore, but not published,

Dr. Ducarel, in his tour through Normandy, where the customs, endowments, and charitable donations of the monastries and priories may be supposed, from their former connection with, to be similar to what was experienced in this country, appear to be insignificant and trifling, always excepting those instances where the particular motive of the endowment was to ensure an hospitable reception to the traveller. Tanner, also, by a note in the preface to *Notitia Monastica*, appears to be of opinion, that it cannot be attributed to what the poor received from the religious houses, that no parochial assessments for their relief were found necessary during the prevalence of the monastic institutions; although it appears that some of the larger priories dignified one of their officers with the name of almoner,

But be this fact as it may; it is to be presumed, that if the poor did not sustain any great loss from the abolition of the monastries, in the article of any considerable relief, they might have received from them, in provision or alms; they certainly felt one great inconvenience from the number of the necessitous
being

being considerably increased; because, on the dissolution of the smaller monasteries, in the year 1535, whose revenues did not exceed two hundred pounds a year, it is said, that not less than ten thousand persons were sent to seek their fortunes in the wide world, without any other allowance than forty shillings and a new gown; and a revenue of thirty or thirty-two thousand pounds a year was vested in the crown; and when the greater monasteries were dissolved, in the year 1539, and a revenue of one hundred and four thousand nine hundred and nineteen pounds was diverted from the maintenance of people in idleness, and began to flow in different channels*; if the number of the poor thrown upon the publick by the dissolution of the lesser monasteries, be added to the number which may also be supposed to have become a burthen to the publick by the dissolution of the greater monasteries; computing that number by the proportional revenue vested in the crown by the latter event to the revenue also vested in the crown by the former; amounting to a total of near forty-

* Notitia Monastica, Preface.

three thousand persons, who in the lapse of a few years had become additional objects of charity; for, although many of the members of the greater monastries were allowed pensions, yet, if it be considered that they now enjoyed the liberty of becoming fathers of families, such a calculation will not appear to be extravagant; it will then not occasion our surprise, that a few years after this event, the legislature should find occasion to interfere in their behalf, when probably not less than a hundred thousand persons who had no visible means of maintenance, pressed on the distribution of the charitable fund vested in trust with the ecclesiastics, now in part wrested from their gripe; and also became importunate suitors to the desultory feelings of charitable individuals, who might naturally be moved with compassion at the sight of their father confessors now become needy fathers of a young offspring.

Besides, the wars which, from the conquest, had kept our population thin; a number of lives having been thrown away in the different contests, within the kingdom, for the sceptre; on the continent of Europe, for foreign

foreign possessions ; and in Asia, on romantic principles of religious chivalry ; had now, for a considerable period, ceased ; and near a century had elapsed since the battle of Bosworth had seated Henry the Seventh on the throne, who, by his marriage with Elizabeth, the heiress of the York family, had united the claims of the two houses in his person ; and no internal commotion having, since that event, occasioned any considerable waste of blood ; and, except at the battle of Flodden Field, which seems, for a time, to have quelled the animosity of our northern neighbours, the nation having suffered no loss of inhabitants from foreign wars ; peace, of course, and its concomitant, population, had increased the riches of those who possessed the opportunity of acquiring, and, at the same time, the number of those, whose humble situation precluded them from such attempts ; the number of inhabitants, therefore, who had no means of support, except from their labour, consequently, was considerably increased* ; and, most

* In 1377 the number of inhabitants in England and Wales amounted to 2,092,978.—In 1583, to 4,688,000.

CHALMERS'S ESTIMATE.

probably, among the crowd which pressed on the public from the dissolved monastries, few were there who could handle the plough, the flail, or the spade; but many, who, if they could not dig, were not ashamed to beg; a privilege which different acts of Parliament had already laid under certain restrictions.

L E T T E R V.

THE situation of the poor, with respect to the price of labour and the necessaries of life, their claims also on the charity of those in whose possession was centered the property of this kingdom having been considered; it will now be a topic worthy our attention to relate, briefly as possible, the notice the legislature of the kingdom has taken of them from the period when they first became objects of legislation; unto the present time when they participate of a revenue amounting to near three millions sterling per annum, raised for their employment and relief by the authority of the state.

This enquiry may with great propriety, pass over that distant æra, the transactions of which history has preserved in very faint and doubtful

doubtful records; and, indeed, it is not probable that, in times when this island enjoyed not any regular form of government, a great attention should be paid by our governors to the welfare of the poor; nor is it matter of wonder that while the petty reguli of the heptarchy were contesting the boundaries of their insignificant dominions; or while a foreign family, attended by a swarm of martial and needy followers, were contending for the throne of England, or disputing among themselves for the prize they had obtained, that any humane or wise regulations should take place with respect to the poor; who were then only considered as the means by which the claims of their respective lords might either be enforced or defended; and viewed in that light, they rank in a different class of citizens, and are distinguished by epithets different from, but not more respectable in society, than that of husbandmen.

After the family of William, the Norman, had been established on the throne for several generations, and Edward the First, having made the conquest of North Wales, turned his attention to the defenceless situation of the lower class of his Welch subjects, and pro-

duced, with the assistance of his parliament, that code of laws known in our statute books by the name of *Statutum Wallie*; in which were regulated the modes by which they might obtain redress of private and public wrongs; and in which it is enacted, that a poor man, instead of putting in pledges to prosecute a suit, on suing out a writ, should only pledge his faith; from the date of this statute which was passed in 1284, no mention appears of the poor in the acts of parliament until 1349, when the statute of labourers regulated their wages, as has been already mentioned, and in strong language declared that their labour, while they were able to work, should be their only resource, by the following words, "That no one, under pain of imprisonment, by pretence of piety or charity, should presume to give any thing to those who were able to labour, to encourage them in idleness and sloth, that by those means they might be compelled to work for the necessities of life." Another statute passed in the same reign, which gave the poor the right of an attain in pleas, real and personal, without fine; and the statute of labourers
also

also was confirmed, and the observance of it enforced by an imprisonment of fifteen days, and also by the punishment of burning them in the forehead, with an iron in the form of the letter F, if they left their work and went away into different towns, or into another country; and also obliged the officers of cities or boroughs, in which they might reside, to deliver them up.

From this period, until the 2d of Richard the Second, the statute book is silent with respect to them; the parliament then, 1378, confirmed the statute of the 23d of Edward the third, and the other statutes of labourers, and ten years afterwards repeated the confirmation; and further directed that no servant or labourer should depart from one hundred, rape, or wapentake to another to serve, or live elsewhere, or under pretence of going a pilgrimage, without a letter patent, containing the cause of his going, and the time of his return, on pain of being put in the stocks until he finds surety for his return; this act of parliament also regulated the wages of yearly servants, in husbandry, allowing to the bailiff 13s. 4d. and cloathing once a year; to the
master

master hind 10s. the carter 10s. shepherd 10s. oxherd 6s. 8d. the deye 6s. plough driver 7s.; their wages were enforced, and the people were restrained from giving more by pecuniary penalties; for the first transgression, forfeiture of the overplus; second transgression, double the overplus; third offence, treble the overplus, or imprisonment of forty days; by the same statute, those who had served in any agricultural occupation, until they were twelve years of age, were restrained from being put out to any trade or mystery, on penalty of the indenture, or covenant being void; and all servants in husbandry and labourers were prohibited to wear any sword, buckler, or dagger, except for defence of the realm, in the time of war, but they were permitted to have bows and arrows and to use them on Sundays, and feast days; all unlawful games were also prohibited; the seventh chapter of this statute also directed, that impotent beggars should live in the cities and villages, where they were resident at the time of passing the act, and if the inhabitants of the said cities and villages, *ne voilent ou ne poient suffir de les trover*, i. e. were not willing

or

or able to maintain them *, they should be taken to other towns in the hundred, rape, or wapentake, or to the towns where they were born, within forty days after proclamation of the act, where they should continue for life.

Three years after the date of this act, the legislature made that laudable provision for the poor, from the appropriations of benefices, which has been already mentioned, and which was confirmed in the beginning of the reign of Henry the IVth; at which time it was enacted, that no labourer should be retained to work by the week; but for what reason it is not easy, as this distance of time, to conjecture.

The legislature remained silent on the subject from this period until 1414, when, by the second statute of Henry the Vth, justices of the peace are directed to send their writs for fugitive labourers and servants, to every sheriff

* This translation may possibly be inaccurate—I have searched the French dictionaries and glossaries, in my possession, and confess I cannot find such a meaning affixed to the verb *trouver*, but know of none so proper.

in England, and are also impowered to examine labourers, servants, and their masters, on their oaths, of all things done by them contrary to the ordinances and statutes, and to punish them, on their confession, as though they were convicted by inquest, which power is also recognized in the second year of Henry the VIth, with respect to those who take wages superior to what are allowed by statute; and in the sixth year of the same reign it is enacted, that justices of peace, in their counties, and the mayors and bailiffs, in every city, borough, and town, shall have power to make proclamation in every county, city, borough, and town, in full session, once a year, how much every servant, in husbandry, should take for his service for the year ensuing; and that two proclamations should be made between the feasts of Easter and Michaelmas for that purpose; which act is confirmed in the eighth year of the same reign.

In the year 1436, wheat and barley being at a small price, (that is to say, wheat at 6s. 8d. and barley at 3s. per quarter) are permitted, by a statute of the same date, to be exported without

without licence; six years afterwards this statute is confirmed for ten years, and in 1444 it is made perpetual; and in this year the legislature also enacted, that the wages of husbandmen, in harvest-time, should not exceed the following rates; a reaper, 4d. a day with board, without board, 6d.; a harvest-man, or driver, 3d. with board, without 5d.; women labourers, 2½d. with board, without, 4½d.; and that the wages of servants in husbandry, by the year, should not exceed the following prices; a bailiff, 23s. 4d. with board, and 5s. for cloaths; a chief hind, carter, or shepherd, 20s. with board, and 4s. for cloaths; a common servant, 15s. a year, board, and 3s. 4d. for cloaths; a woman servant, 10s. board, and 4s. for cloaths; a child, under 14 years of age, 6s. with board, and 3s. for cloaths; and also directed that a servant, in husbandry, purporting to depart from his master at the end of the year, should give him half a year's warning, or else serve him the year following.

From this time no notice is taken of the agricultural poor, and no new regulations which could affect them are to be found in
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the statutes at large, until the eleventh of Henry the VIIth, 1494, except an act which passed three years before, prohibiting pulling down, or suffering to decay, houses of husbandry, by which means, the preamble to the act says, in some towns where upwards of two hundred persons *were* occupied, and lived by their lawful labour, *now* only two or three herdsmen are employed, and the rest fall into idleness * ; by the second chapter of the eleventh of Henry the VIIth, vagabonds and idle and suspected persons shall be set in the stocks three days and three nights, and have no other sustenance but bread and water, and be then put out of the town ; and every beggar, not able to work, shall resort to the hundred where he last dwelt, is best known, or was born, and there remain, on pain of like punishment : and no artificer, or labourer, shall play at any unlawful games, except during Christmas. Two justices are also, by the

* The legislature, two centuries ago, seems to have been aware of the bad consequences to population and industry, that arise from the consolidation of small farms, which, where general, is a measure which strikes at the root of every stimulus to agricultural industry among the poor, by excluding all prospect of using the plough and sickle for themselves.

same act, empowered to restrain the common selling of ale; it is curious to see how early after the relief of the poor became an object of the legislature, the regulation of alehouses was also a subject of their attention, and with what an equal step the laws respecting vagabonds and alehouses proceed together.

The parliament also, in the same year, enabled poor persons to sue out writs of subpoena against those that may give them cause of complaint, and counsel shall be appointed them, taking nothing for the same, at the discretion of the chancellor. The prices of labour were again regulated by the same parliament.

In the 6th year of Henry the VIIIth, the wages of servants, in husbandry, are again regulated, as are the hours they shall work, have for their meals, and sleep; and by the twenty-second of the same reign, justices of the peace are empowered to licence, under their seals, such poor, aged, and impotent persons, to beg within a certain precinct, as they shall think to have most need; and if any beg, without such licence, he shall be whipped, or else set in the stocks; and a vagabond taken begging shall

shall be whipped; and then sworn to return to the place where he was born, or last dwelt, for the space of three years, and there put himself to labour.

All the other parliamentary regulations which respect the poor labourers, between the interval of this last mentioned act, and those of the 28th, and the 31st years of the same reign; the first of which vested the smaller monasteries, and the last dissolved the whole structure of monastic institution, and vested all their estates in the crown, may be found in a capitular of statute 27th, Henry VIII, cap. 25, which directed, that all governors of shires, cities, hamlets, parishes, &c. shall find and keep every aged, poor, and impotent person, who was born or dwelt three years within the same limit, by way of voluntary and charitable alms, in every of the same cities, parishes, &c. with such convenient alms as shall be thought meet by their discretion, so as none of them shall be compelled to go openly begging. And also shall compel every sturdy vagabond to be kept in continual labour. Children under 14 years of age, and above five, that live in idleness, and are taken
begging,

begging, may be put to service by the governors of cities, towns, &c. to husbandry, or other crafts or labours. A vagabond shall, the first time, be whipped and sent to the place where he was born, or last dwelled, by the space of three years, there to get his living, and if he continue his roguish life, he shall have the upper part of the gristle of his right ear cut off, and if, after that, he is taken wandering in idleness, or doth not apply to his labour, or is not in service with any master, he shall be adjudged and executed as a felon; no person shall make any open or common dole, nor shall give any money in alms, but to the common boxes and common gatherings, in every parish, on pain of forfeiting ten times as much; unlawful games are also prohibited.

These, as far as they respect the subject of this inquiry, are the leading points, in which the legislature of other times interfered in the regulations of the rights, claims, and conduct of that class of the community, whose only property is their personal strength, and whose sole employment through life, is hard labour; but there also existed a description of fellow-subjects, whose rights were still more cir-

cumscribed, and the existence of which class of men in this island, is, much to the honour of the present age, proved at this day only by the page of history, and such notices as are preserved in the black lettered law books of past times.

They were called villains; the word has respect to the nature of the tenure, and the locality of their services, rather than to any particular ideas of disgrace, which were attached to their persons; *villani quia villa adscripti*, says Lord Coke; they were in some instances the property of the lord, were transferred like other property; and that particular description of them called villains in gross, were in many respects in a similar situation to those Africans, who are objects of our commerce, and transported to the West Indies; but it appears, from Littleton's Tenures, that their personal safety was guarded, and no instances are to be found where they were exempted from the general benefit of the laws of their country, unless where the laws and customs, of a particular tenure, interfered, and reduced them, in those instances, almost to a state of slavery; it may be presumed, there-

therefore, that in all other respects they had an equal claim with the rest of our fellow-subjects, to a compensation for their labour, while they were able to do any, and when they were incapacitated, they then claimed from the hand of charity equally with their neighbours.

L E T T E R VI.

AT this period, so interesting to the feelings of all English Protestants; when that vast superstructure of Papal influence and grandeur, reared on the foundation of fear and superstition, which had existed so many centuries, fell, as it were, by the magic touch of Henry VIII. to the ground; and an edifice more consonant to the principles of sober piety and good sense arose in its stead: let us pause a while, and reflect on the different situations the poor were in, both with respect to their wants and demands on society *then*, and that station which they *now* hold; the

contrast will appear striking, and some useful reflections may arise from it.

Their wages had uniformly hitherto born a proportion to the necessities of life; and that such proportion might be preserved independent of the capricious or selfish will of an interested master, the price of labour had frequently been regulated by the legislature, which had also paid a constant attention to the prices of provisions; and all the necessities of life had been attainable hitherto throughout the whole period which has been subject to our review (except in times of casual dearth), by a proportion of labour which left a surplus for accidents or illness; but at the same time that the legislature had this equitable attention to their interests, it enforced the necessity of labour and employment, by corporal punishments of the idle and wanderer, and by restraining the hand of charity from giving persons of such description any assistance.

Through the same æra we also find that the infirm, the aged, and the impotent, had no legal claims for assistance from society, except on that portion of the possessions of the eccle-

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clerics which has been alluded to, and which seems to have been adequate, under the management of the clergy, to the demand on it; and the jealousy of the legislature, least the attempt made by the monasteries on that fund, by the appropriation of the great tithes to themselves, might in the end divert it from its proper application, is very apparent, by that act of parliament which passed in the 15th of Richard II. and was confirmed by the 4th of Henry IV.

It may possibly seem strange that this portion of the church revenues, which appears to have been the property of the poor, should never have been confirmed to them by decrees in Chancery, as the Chancellor has the superintendence of all the charitable estates in the kingdom; but it is apprehended that the wonder may cease, on recollecting that as yet the poor had no legal guardians of their property, no name by which they could sue, and that what was the concern of all was the particular business of no individual; and that poverty totally prevented any application to the courts of Chancery or law, until the 11th of Henry VII. and then permission to sue in

formâ pauperis was left in the discretion of the Chancellor; and that the Chancellors, from the conquest until Sir Thomas More obtained the seals in the year 1530, were almost uniformly clergymen, consequently parties interested; and that the clergy, likewise, through the remaining part of this century had at times the possessions of the seals; and until the days of Lord Verulam, no regular system prevailed in the practice of the court, and decrees were, even in his time, obtained by favour or gift, and not always on equitable, or conscientious principles.

Another circumstance well deserves our notice; the luxuries of life were hitherto but little, if at all, in use among the poor; no deleterious snuff or tobacco, no debilitating tea, no liquid fire, commonly called gin, or spirits; those banes of health and morals, those sure destroyers of the constitutions of the present, and of the rising generations; and it is late in the period that we find any mention made of ale-houses, receptacles of vice and immorality! from whence the modern financier drains the subject of a considerable revenue, and at the same time the
poor

poor of their property, constitution, and morals.

Manufactures had also made but little progress among us, which, however they may enrich individuals, or increase the sources of our commerce, are, to the labouring poor, when they are the means of congregating them to work in parties, or are introductory of sedentary employment, most serious evils; in as much, as they are by long experience found to affect, most materially, the health and morals of those employed in them; and when, which has happened in many places, they leave the parishes which have, for a time, been their residence, for manufacturers are naturally defultory; those parishes are left in miserable poverty and hapless wretchedness.

The means of intercourse with popular cities were also less obvious; of consequence all those crimes, which being committed in a crowd, may escape censure, were less practised; and that evil example, which is always to be found where many idle people are assembled, was less before their eyes; besides, the moral conduct of the individual was more under the

guidance of the ecclesiastical director of his conscience, during the existence of the Roman Catholic persuasion; which circumstance must be allowed to have been a cause of stricter moral conduct among the poor, than at present prevails.

It has been already hinted, that the population of the kingdom, particularly among the lower classes of society, has considerably increased since the abolition of monasteries; and that whatever alms they then received from those societies of regular clergy, as well as the crumbs which fell from the tables of the opulent, who now expend their incomes in cities, and places of public resort, are at present withdrawn; and the very numerous poor of this kingdom are, now, left a very heavy burthen on the landed property alone; while manufactures and commerce enjoy a considerable portion of the benefit arising from their labour.

At the same time, a principle destructive to the rights, and particularly affecting the lower classes of society, seems now to pervade the whole system of the management of the poor; a principle which is inherent to despotic governments,

vernments, but clashes with the rights of a subject under a limited monarchy, and which has, nevertheless, increased in this country in a direct proportion with the liberality and freedom of our excellent constitution; the principle alluded to is that, which leaves a chasm between the different orders of the state, and operates to this effect, that those who are born to hard labour for their maintenance shall never have an opportunity of emerging from their low condition; the artizan or manufacturer, the farmer or tradesman, may rise to the consequence of a legislator: opulence will raise the possessor to distinctions in society; an individual of every profession may look up with the well-grounded hope of becoming, in maturer age, of more importance among the higher classes of the state, than when he began his career; but between the labourer and any superior situation among his countrymen there is now a dreadful gulph, which none, or scarce any, can pass.—During the æra which has been examined, such a principle does not appear to have prevailed, and yet the rights of the subject were not then so well defined as at present; the wages re-
ceived

ceived under sanction of statute laws by the labourer, enabled the prudent to save something; that something might *then* be applied to profit, in small occupations of land; a small business leads the way to a greater:—by these means the door was open to riches and authority; and honest ambition was a spur even to the cottager, of which he is now deprived; for the industrious man in these days seldom receives any assistance from the overseer, in the casualties to which human nature is subject, until every farthing of his savings are exhausted, and he becomes, with respect to his poverty, on a level with the idle and the drunkard; and if he is fortunate enough, by many years industry and œconomy, to accumulate a few pounds, no small business, in his line of life, is now open to him; the consolidation of small farms has precluded all hopes of employing his money in that business with which he has had most experience; all, therefore, he can do is to buy a cottage, which the parish officers too often fix their attention on, as a sufficient reason why he and his family, numerous as they may be, shall not receive relief, because he has visible property.

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This chasm between the labourer and the other classes in society, it is presumed, may do more mischief to the state, by destroying every stimulus to industry, except dire necessity; and actually become a more serious cause of the surprising increase of the poor's rates, than even those inducements to dissipation and enervating luxury, which the policy of the financier holds out to them in the shape of tea, spirits, and ale-houses.

No wonder, therefore, that those who lead a life of retirement, far from the haunts of the ambitious or voluptuous; who retreat from business or pleasure, either to cultivate a more intimate knowledge of themselves, or to deceive the passing hours by an attention to the improvement or embellishment of their estates, should have their sensibility wounded by being not only hearers, but eye-witnesses of the misery of their fellow-creatures?—No wonder that those who have been nursed in the lap of luxury should avoid those scenes which otherwise, it is probable, they would embellish by their taste; and desert those mansions, now untenanted and dreary, which, when occupied by the hospitable owners, diffused a
gleam

gleam of chearfulness through the country. It surely is not beneath the office of humanity, at times, to hold conversation with the peasant, whose labour improves or embellishes our demesnes; but the topic of such conversation too often distresses humanity, and sends the hearer home dejected and dissatisfied.

Probably some reflections may then arise in his mind; not very favourable to the present system of poor laws; being a witness of their wretched situation, he may reasonably conclude that the sum, immense as it is, which the poor's rate, together with the charitable donations of our ancestors, raises for them is not sufficient, or that it is much misapplied; for the rate itself is certainly an enormous burthen, rising from two or three shillings in the pound, upon the actual rental, up to sixteen, eighteen, or more, in some parishes; and the whole of this revenue has increased to the present bulk, from nothing, in less than two centuries, and no part of it is mortgaged; but the whole applied or presumed to be applied to their maintenance and relief.

Their wages, it is true, are less in proportion to the value of money, or the necessaries of life, than

than they were in times antecedent to the present system, probably less by one third ; and they also in those times received assistance from the clergy, who by their advice then regulated their religious and moral principles, which are considerable preservers of industry and good œconomy ; therefore, raising their wages will not alone be of service to them at present, because the religious sentiment seems extinct throughout the multitude in general, and morality has unawares expired with it ; consequently those principles, which if active would kindle a spark of honest industry among them, are totally inert ; and additional wages, it is feared, would only induce additional excesses.

If education will fix habits unconnected with the moral sentiment ; if Mr. Pope's maxim is true, that

Just as the twig is bent, the tree's inclin'd ;

an opening is surely left, which may be applied to the best of purposes, without raising the wages of the labourer, without calling for assistance from the clerical possessions, or expecting the clergy to attempt again the office of
ghostly

ghostly directors with respect to their poor parishioners.

Industry, early industry, keeps the rising age from present mischief, and fashions the future man to a life of honesty ; and depend on it, the religious principle, together with every respected moral virtue, may be reared on the basis of habitual industry.

“ To teach the young idea how to shoot,” is among the most pleasing and important offices of life ; how excellent must be a plan formed on that sentiment, which would comprehend, and in a manner insure the future well-being of so large a portion of this nation ; would deliver them from a childhood and youth, passed in idleness and theft, to a manhood formed from the earliest years to habits of industry ; would, in the mean time, render their hours of some value to their parents, which are now an incumbrance to them, and a pest to their neighbours.

Much has been done, it may be said, for the rising generation within these few years by Sunday schools ; it is very far from my intention to call in question either the principle on which the patrons of Sunday schools proceed,

or,

or to dispute the fact that they have done service ; but as the intention of Sunday schools is to inculcate a religious principle, to give early habits of religious duties, and to open the mind of the poor to religious instruction, surely those seminaries are at present incomplete; shall the six days be spent in idleness, perhaps in theft and immorality, while the seventh alone is taken care of? May not the child who is left to itself in a state of idleness, or possibly, for so we know it too often happens, sent out to steal firing for its parents, or encouraged to pilfer for its sustenance through the other six days in the week, and who attends at the Sunday schools, where from superior readiness and regularity of attendance there, and at church, it is praised by the master or mistress for reading and behaving well on the Sunday; may not such a child, from such practice imbibe habits of hypocrisy, at the same time that it is educated in a regular attendance to religious duties? Surely there is some danger that he may in mature life make use of this church-going habit, as a cloak for his conduct the rest of the week; besides, it should be considered that the accomplishments of reading and writing

ting are not essentially necessary for all people ; there must always be in all societies of mankind some who are hewers of wood and drawres of water ; to whose sum of happiness, or honest means of getting their bread, these accomplishments will not add an unit ; and to all the children of that class in society, for whose benefit Sunday schools have been with so much well-meaning humanity encouraged ; six days industrious habits are recommended as a better recommendation to a seventh of religious duties and instruction, than six days passed in vice or idleness ; but this topic shall be dropped for the present, and the utility of Sunday schools acknowledged on this general principle,

Est quodam prodire tenus, si non detur ultra.

In the mean time, the inquiry into the actual state and situation of the poor, as far as they are affected by the prevailing habits of the times, as well as by the laws of their country ; together with the opinion which those who have paid any attention to the subject, and have laid the result of that attention before the public, have formed of the causes^a of their
their

their encreasing wretchedness and our encreasing expences, shall be pursued from the period at which this pause has been made, through the succeeding years to the present time; in full confidence that some useful knowledge on this important subject may be gained; and in hopes that while we are amused we may be instructed.

L E T T E R VII.

WHEN I sent you the last letter on this subject, the difficulty of meeting with sufficient information in respect to the price of labour, and the necessaries of life, from the period which has hitherto been the object of this inquiry, unto the end of the reign of Elizabeth, did not then occur to me; nor did I foresee that I should be left in the dark on that subject, when Fleetwood's *Chronicon* ceased to give me any longer its steady and faithful light. The record of the prices of wheat at Windsor market, which has been regularly taken by the Bursar of Eton College

to fix the corn rents for the year, is the only exact account, so far back as it goes, in this kingdom; and that extends only to the year 1595; but not being able to accompany the price of wheat from that period, which was only nine years anterior to the 43d of Elizabeth, with any certain cotemporary account of the price of labour; although I have taken every means in my power to obtain such information as might be depended on with respect to the concurrent price of labour and provisions to the 43d year of Elizabeth, hitherto without effect; and being fearful that those among your readers who have paid any attention to what has already been said on the subject, may conceive it is deserted, and my word not intended to be kept with them; I determined to send you a few pages on that part of the inquiry, which my library will enable me to elucidate, and my reason is adequate to explain.

On perusing the English historians of the age antecedent to that when the parliament of Elizabeth interwove the preservation of the poor with the constitution of the kingdom; the assertion, made in a former part of this tract, that the monks, if they could not dig,
were

were not ashamed to beg, is found to be well authorised by history; for it appears that the multitude of idle people, which the dissolved monasteries had vomited forth on the public, were become a serious burthen on society, and occasioned the passing an act in the first parliament of Edward the Sixth, which is as curious in the preamble, as it is inconsistent in the enacting part, with every principle of humanity and justice: the preamble states, that “forasmuch as idleness and vagabondry is the mother, and root of all thefts, robberies, evil acts, and other mischiefs, and yet idle and disorderly persons, being unprofitable members or rather enemies of the commonwealth have been suffered to encrease, and yet do so, whom if they should be punished with *death*, whipping, imprisonment, and other corporal pain, it were not without their deserts,” be it enacted, &c.

In short, this curious piece of legislation makes a man who liveth idly three days, the slave for two years of him who informs against such an idler, he being first branded with a red-hot iron on the breast with the letter V; during which two years he shall be fed with

bread and water, and *refuse* meat, and caused to work by beating, chaining, and otherwise in any work, be it ever so vile; and if he runs away from his master for the space of fourteen days, he shall become his *slave* for life; after being branded on the cheek with the letter S; and if he runs away a second time, he shall be adjudged a felon,

This act of parliament, so discreditable even to that age of disorder and despotism, arose, as Rapin says, from the necessity the government experienced, of obliging the monks to work, who were little inured to labour, but employed themselves in going from house to house, inspiring people with the spirit of rebellion; and thus much is certain, let the cause of such severity have been what it may, that the act itself was so diametrically opposite to every just principle of legislation, that it was repealed in the third year of the same reign, and during the administration of those by whose authority it had been passed; and the poor were then left by the legislature, much in the same situation as before the abolition of monastries; although certainly deprived of a source of maintenance, and the number of
them

them considerably increased by that dissolution.

Those to whom Henry the Eighth had left the care of his infant son, even when assisted by the council, among whom many names of respectable memory appear; seem to have been as insufficient to that department of government, which respects the interior police of the kingdom, as we may reasonably suppose the minor king could have been, had he himself wielded the sceptre; what else but complete ignorance, could have induced them to permit so unpopular and unjust an act to be passed in the first year of their young sovereign's reign, as has been alluded to? which law they were so soon obliged to repeal; and in the year following the repeal, as an encouragement (as the preamble says) to, and promotion of, industry, an act was passed which obliged servants in husbandry to serve the whole year, and not by days wages; the occasion of which curious restraint, it is difficult at this distance of time to guess; the statute-book, as well as history, being silent on the subject.

That the poor were now in a distressed situation throughout the kingdom, is very apparent; they had lost such relief, whatever it might have been, as they had been accustomed to receive from the monasteries; they had also lost a considerable source of employment, by the lands of the monasteries being granted to the nobles and followers of the court; who left the husbandry of their new-acquired domains to chance and neglect, which had been more attended to, and well cultivated when under the inspection of the monasteries, and their tenants; and those also, who were lately their confessors and spiritual directors, who while it was their interest, influenced the poor to a life of industry, and content, still retained the same influence over their minds, and made use of it now, to incite them to faction and sedition; certain consequences of that distress, which arises from idleness and dissipation; while the legislature, to mitigate and allay the turbulent and dissatisfied spirit then prevalent among the lower orders of the state, with an absurdity scarce credible, passed a law, that the poor of every parish shall be relieved, “ with
that

that which every parishioner of his charitable devotion *will give*," 5th and 6th Edward VI. cap. 2.

As a top to the climax of their absurdities in legislating for the poor, during this short and unpropitious reign, parliament first instituted licensed ale-houses, and sanctioned them by an act which has the following preamble, as a reason for the statute: "Forasmuch as intolerable hurts and troubles to the commonwealth of this realm doth daily grow and increase, through such abuses and disorders as are had in common ale-houses, and other houses, called tippling-houses." A preamble which should have preceded a prohibition, not a license, or permission.

The short reign of Mary was passed in the regulation of what appeared to her, and her advisers, of much more importance than the feeding of millions; the bending the stubborn opinions of a few, in matters of religious controversy; and can it be supposed that either legislators or ecclesiastics, who were employed in bringing heretics to the stake, could elevate their attention to the divine office of investigating the means to preserve the multitudes of their poor brethren from idleness and want?

However, before all the perverted faculties of their minds were totally absorbed in the task of regulating matters of religious opinion, with the accuracy that their cotemporary legislator, Charles the Fifth *, regulated the motion of time-keepers, they had sufficient leisure to leave matters in the same state, with respect to the poor, as they were in the two last reigns ; except that they invented the scheme of exposing those who begged ; which, at that time, must of necessity have been as well the aged and infirm as the idle ; by obliging them to wear a badge on their breast and back openly, by an act of the second year of the reign of Philip and Mary ; but in these days, when the rights of human nature are so well understood, and with such merited success, wrested from the strongest gripe of power ; it will not strike us with surprise, that in those times of ignorance, superstition, and despotism ; the rights of the many should be but little understood, and less attended to, by the few who held the iron rod of power.

The kingdom felt, during the reigns of these two children of the Eighth Henry, most

* Robinson's History of the Emperor Charles V. 4to edit.
Vol. 3. Book 12.

serious

serious effects from the ignorance of government, in, or its inattention to, the regulation of the interior police; being, at times, convulsed by intestine commotions, from its centre to its circumference; as the rebellions of Kett, in Norfolk, that of Arundel, in Devonshire, and insurrections in many counties in the year 1549; and those of Wyatt, in Kent and Surrey, and Carew, in Cornwall, in 1554, plainly evidence.

It is no wonder, therefore; that in an early part of the reign of Elizabeth, after the affairs of religion were settled to the general satisfaction of the nation, by the establishment of the Protestant faith, according to the ritual of the church of England; and soon after the Queen had entrusted the affairs of the kingdom to the management of a Bacon and a Cecil; that we find the attention of parliament occupied on the subject of the poor, with a seriousness of application that proved their conception of the importance of the object, to the universal welfare of the nation; and which gave rise to three acts that were passed in the fifth year of her reign; by the first of which; those regulations made in the
several

several parliaments of the fourth of Henry the Seventh, and the seventh and twenty-seventh of Henry the Eighth, for keeping in repair farm houses, and maintaining of tillage, were enforced; and all that was enacted during the two last reigns on this subject, was repealed; by the second act, the poor were to be relieved by what every person gives weekly; and if any parishioner shall refuse to pay reasonably towards the relief of the poor, or shall discourage others, then the justices of the peace, at their quarter sessions, may tax him a weekly sum, which if he refuses to pay they may commit him to prison; and if any parish has more poor than they are able to relieve, justices of the peace may license so many of them as they shall think good to beg within the county.

The next act, which is the 5th of Elizabeth, cap. 4. is in force at this day; and produces many useful regulations, as well in respect to what persons are compellable to serve in any crafts or trades, as in husbandry; the conduct of the master and servant reciprocally to each other is regulated; the production of testimonials of a servant's conduct enforced by
a penalty;

a penalty; the time during which labourers shall continue at work; besides many other heads of regulation; for all which, it is better to refer your readers to that excellent compendium, Burn's Justice, or to the statute itself, than take up their time, or my own, in recapitulating its contents: one section, however, I must call forth to their notice, because I think, that as it is *now*, with some alterations, the law of the land, it ought, in justice to the poor, to be the practice of the magistrates also: by the 15th section, the wages of servants, labourers, and artificers, as well by the day as year, shall be limited, rated, and appointed by the justices of the peace of the county, they having respect to the plenty or scarcity of the times, &c. and this section is enforced by a penalty on the justices, for not attending at the time required by the act, and also on the master for giving, and the servant for taking, more than such rated wages.

The wisdom and humanity of government, during this long and prosperous reign, engrafted by degrees some of the best moral principles of the Christian religion, into the
statute

statute law of the land. Our Saviour, in his conversations with his disciples, lays very great stress on the duty of giving to the poor, administering to the sick, and relieving the prisoner; as may be seen in the 25th chapter of Matthew, and many other places in the New Testament; and the parliament of Elizabeth sanctioned that, which was before only a moral duty, by a law of the state; for by the 14th of Elizabeth, cap. 5. assessments are directed to be made of the parishioners of every parish, for the relief of the poor of the same parish; and a provision is also made for the relief of prisoners in common goals; the mode also of treating that class or description of our fellow-creatures, called, by the law, vagabonds, seemed also much better understood, than in former reigns; but still was tinged with too much severity, against those members of society, who are guilty of a negative offence only; that of want of industry, which in fact, punishes itself, and is with justice punished by the municipal laws, as it is certainly a crime, and so considered by one of the best writers on that subject this age has produced, Beccaria*, who, in his excellent

* Beccaria dei delitti e delle pene, Sect. 24.

treatise, *Dei Delitti, e delle Pene*, exactly describes those useless and culpable members of society, under the title of *oziosi*; whom we include by the word *vagabonds*; and indicates an opinion, that their offence to society, is somewhat similar to that of men who are probably guilty of crimes, but against whom there is no certain positive proof. This statute of Elizabeth, orders vagabonds to be grievously whipped, and burned through the gristle of the right ear, for the first offence, if above fourteen years of age, unless some creditable person will take them into service for a year; and if of eighteen years of age, and he falls again into a roguish life, he shall suffer death as a felon, unless some creditable person will take him into service for two years; and if he falls a third time into a roguish life, he shall be adjudged a felon.

Government, after experiencing the effects arising from what had been done in the fourteenth year of this reign, again took up the subject; and we find in the eighteenth statute, the first idea of natural children being maintained at the expence of their mother, or reputed father, who appear before this time to
have

have been maintained at the expence of the parish; or at least there was no positive law of the state enforcing the contrary; this statute also provides for the punishment of the father and mother, and has stood the test of time; being the rule for the conduct of magistrates at this day.

In this parliament also arose the first idea of providing a stock to set the poor at work; indeed it is scarcely credible, that legislators should for centuries have punished *idleness* and *vagabondry* so severely, and not have provided a certainty, that those members of society, who, from their situation, are strongly tempted to incur the crime, should have the means put in their power, by industry of avoiding it.

Houses of industry are now mentioned for the first time, and lands in socage are permitted, during twenty years, to be given towards their maintenance, and to provide stock for the poor to work up. But what principle could induce the parliament to prohibit building cottages, unless four acres of land were laid to each of them, it is impossible at this distance of time to tell; the history of that period taking no notice of the subject; and the

the preamble to the act itself stating only general inconvenience ; yet such a regulation passed into a law in 1589, together with a prohibition against more families or households than one, inhabiting the same cottage.

The parliament of this wise and happy æra, were as progressive in improving the situation of the poor, and in laws replete with tenderness and humanity, affecting the lower classes of the state, as were the parliaments under the two preceding reigns, retrogressive, and deficient, in those respects ; in the thirty-fifth year of Elizabeth, we find them turning again their attention to husbandry, and repealing several former statutes affecting it ; repealing also that part of the statute law respecting vagabonds, which retained any unnecessary, and therefore improper, severity ; regulating the management of those poor and impotent persons who are compelled to live by alms ; and enlarging the term, during which it should be lawful to give land towards the maintenance of houses of correction, or of the poor : and after having tried for four years the effect of all the laws then in force, relative to this important department of the police,

lice, and having called, as it were, practical experience in aid of theoretic legislation; we find, towards the end of the sixteenth century, and in the beginning of the thirty-ninth year of this reign, these various matters, and important regulations, taking somewhat the appearance of a code, or system of laws, as they were contained in the first six and the seventeenth chapters of this session.

A recapitulation of the heads of these several statutes would be tedious, and is unnecessary to the purpose of this tract; which is intended to enquire into the relative situation of the poor in time past, and at present: but one circumstance, on the revival of the history of these statutes, strikes the mind strongly; that the 43d of Elizabeth, which is considered by many as the fountain and origin of the poor's rate, is in fact not so, but is the result of the collected wisdom, observation, and experience of the same, or nearly the same individual statesmen; and those, men of acknowledged wisdom and prudence, attending to the same object, the general good of society, in this most important article of police, during the term of almost half a century.

Although

Although some sensible and enlightened minds have appeared to doubt, whether this statute has, in its present consequences, brought upon that portion of society, which by the law of the land is subject to its influence, more good than evil; reasoning from the great burthen it imposes on the landed interest in particular; the knowledge also that in other countries no such law subsists; that until a certain æra it was not the law here; till when no collections but such as are voluntary were gathered for the poor; knowing withal, that misery and distress, arising from poverty, is the lot of too many; although such an immense revenue is raised for their relief. Yet so great was the necessity of raising a certain revenue for them; and so gradually and strongly did such necessity enforce itself through the period which has just been subject to our attention, by a kind of divine right, on the conscience of the legislature; who disputed, and yielded, step by step, to its powerful energy, during a long reign; which all our historians teach us to remember with reverence, for the wisdom and prudence so visi-

bly prevalent throughout that age. This assertion may now be ventured, that a tax upon society, for the relief of the poor, was, in the age of Elizabeth, expedient and necessary; and that the regulations of the 43d statute of her reign were then the best modification of such a tax, and well calculated to enforce habits of industry, and all those exertions to maintain themselves before they became a burthen upon their fellow-subjects, which fell within the scope of their power and ability; whether they are so now, and whether the present enormous burthen of the poor's rates, arises from this statute being put in force, or from other causes shall be the object of a subsequent investigation.

L E T-

L E T T E R. VIII.

TO form an accurate judgment on any subject, it is necessary that the mind should have been as fully attentive to the design of each part and proportion in detail, as to the spirit and effect of the whole; the fly on the dome of St. Paul's might, with equal reason, be supposed able to form a sensible and critical opinion of that magnificent fabric, as the mind of that man be conceived equal to form an adequate conception of the intent of the legislature in the statute alluded to, who has only read detached parts of it, or hastily, from the practice of modern days, formed a conception of the spirit and intentions which impressed the parliament when it became the law of the land, in the beginning of the last century.

It is necessary, therefore, in some part of this enquiry, to declare what was the intent of the legislature when they passed this act ;

and to point out the means made use of by them to enforce the execution of that intent; or, in other words, to explain the spirit of this humane and wise code.

In the execution of this task, reference shall be made to the statute itself, as divided by its sections, that the reader may examine, if he thinks proper, how far the following abridgment is warranted by the words of the act itself; which ought indeed to have been printed in an enquiry of this nature, as most probably it cannot be purchased singly, or unconnected with other statutes; and Burn's Justice, which is in every body's hands, contains only detached parts of it; and it certainly is a statute which is intimately connected with the interests of all owners and occupiers of land; was it not imagined that a long act of Parliament, passed at the close of the reign of Elizabeth, would not produce much entertainment to the readers of a publication, intended by the cursory and birds eye view of the subject, which is here taken; to allure and incite *those* to an attention and investigation of this interesting topic, who might fly with disgust from a more prolix and formal detail.

It-

It is remarkable that the statute opens without any preamble whatever; most acts of our parliament, in the preamble, give a summary view of the evils intended by the legislature to be corrected, or the good which is expected to ensue, from the regulations to be enforced; but here is no preamble, unless the title can be called one, which is in so many words, "An act for the relief of the poor:" the enacting part instantly commences. Industry, and principally early industry, is the first object under their contemplation; the setting to work children, whose parents shall not be thought able to maintain them, and also the putting poor children out apprentice; setting the idle, whether from choice or necessity, to work; for which purpose a sum was to be raised by assessment, to purchase a stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff:—the next consideration was to raise a competent sum of money, by the same means, for the necessary relief of the lame, old, impotent, blind, and such others as are poor, *and not able to work*. Sect. 1.

This intent was to be carried into execution by the churchwardens and overseers;

which last were yearly to be appointed by the neighbouring magistrates, whose particular duty in this act is declared to be, to give order, direct, and inspect the proceedings of the churchwardens and overseers; and that this plan may, in all its parts, be carried by the overseers under the direction of the justices into execution, they are ordered to meet on this business at least once in the month, on a Sunday, after divine service in the church; and within four days after the year is expired, yield up to two justices an account of all things concerning their office; provision is also made in those instances where parishes may not be able among themselves to levy the necessary sums of money, by calling in aid other parishes. Sect. 1, 2, 3, 5, 6, 7,

That the expence for the relief of those who are poor, and not able to work, may be felt as little as possible by the community at large, parental and filial affection is compelled to do its duty, before the public is burthened; and for that purpose grandfathers, fathers, and children are reciprocally called forth to support each other if able. Sect. 7,

And,

And, that necessary habitations may be provided for the poor and impotent, it is made lawful for the overseers, with leave of the lord of the manor, and under the controul of the magistrates, to build convenient places of habitation on the waste, and to place inmates, or more families than one, in the same cottage or house; notwithstanding an act passed in the 30th year of the same reign, which has already been alluded to. Sect 6.

Another object was, to raise a sum of money from every parish by a weekly rate, not exceeding six-pence, or under two-pence, for the relief of the poor prisoners in the King's-Bench and Marshalsea; and also such hospitals and alms-houses as shall be in each county; so as that there be sent out of every county yearly not less than twenty shillings to each of the said prisons; and the surplus money shall, at the discretion of the justices of the peace, in their quarter sessions, be distributed for the relief of the poor hospitals of the county; and of those who shall sustain losses by fire, water, the sea, or other casualties; and to such other purposes for the relief of the poor, as to the

most part of the said justices shall seem convenient. Sect. 12, 13, 14, 15, 16.

The island of Foulness, in the county of Essex, being extra-parochial; it was thought necessary to include it by name; and the general regulations of the act, are also extended to that island. Sect. 18.

The sanction by which the legislature has enforced their regulations, principally rests in pecuniary penalties; to which all descriptions of persons called on, to the performance of any part of the act, are liable; these forfeitures rise from 20s. to 5l. which is the penalty to which the magistrates are subject, if they neglect to appoint overseers; and are directed to be applied in aid of the fund, which is ordered to be raised for the employment and relief of the poor. Sect. 2, 10, 11, 14, 16.

The summary mode of distress, by warrant, from two magistrates, enforces the payment of the assessments, and also of the penalties, except in the instances of the penalties incurred by the magistrates, and the treasurer of the county stock, raised by virtue of section 12; which are directed to be levied by warrant, from the general or quarter sessions. Sect. 4, 10, 13.

Impri-

Imprisonment, in default of sufficient distresses, is called in aid of the revenue thus to be raised, for the benefit of the poor; and also as a punishment to those who shall not employ themselves, work being first found for them; and as a punishment to such overseers, as may refuse to give account; until their contumacy is overcome, and they have paid the arrears due. Sect. 4, 13.

An appeal is given to the quarter sessions, to any person who shall find himself aggrieved by any cess or tax, or by any other act, done by the churchwardens, overseers, justices of the peace, or any other person. Sect. 6.

To enforce obedience in corporate towns and cities, the head officers within their jurisdictions, shall have the same authority as justices of the peace, within their respective counties; and where parishes extend into two counties, or liberties, the head officers shall have authority only within their respective counties and liberties, and not further. Sect. 8, 9.

It is declared at what time this act shall commence, and 39 Eliz. cap. 3. cease to be in force. Sect. 17.

Then

Then follow directions for the defendant's plea, in any suit commenced against him on this statute, the replication of the plaintiff, the issue to be joined; and on verdict for defendant, or nonsuit of plaintiff, treble damages and costs are given; the whole calculated to come easily at the real fact, and to protect those who are employed under the act, from being molested by vexatious suits; and the act itself is intended to be experimental only, and declared to endure no longer than to the end of the next session of parliament. Sect. 19, 20.

These few preceding paragraphs contain a summary of the contents of this statute; the basis of all future regulations, with respect to the poor, their employment, and relief; and, to use the words of that excellent writer on the laws and constitution of this kingdom, the late judge Blackstone, "the farther any subsequent plans for maintaining the poor have departed from this institution, the more impracticable and even pernicious their visionary attempts have proved;" nor could any thing short of prophecy have foretold, in the beginning of the seventeenth century, that, in consequence

sequence of these wise and humane regulations, above 2,000,000*l.* would, towards the close of the eighteenth century, be raised in England and Wales, for the relief of the poor, exclusive of numerous hospitals; largely endowed; charity-schools; annual value of landed estates, given to charitable purposes; sums of money at interest in the funds; charities, supported by voluntary contribution; private charities; the income of the whole probably not short of 4,000,000*l.* a year; and after all, so much misery and distress, arising from extreme poverty, would then remain among us.

It surely must be obvious to the meanest capacity, after the most trifling attention to the great purpose of the legislature, in this act of parliament; that the burthen of the poor's rates, which is with so much reason complained of, and the present distressed situation of so many of the poor, cannot arise from this statute being fully, and in every part of it, carried into strict execution; but from a practice totally the reverse; nor can it be asserted, with truth or reason, that any one regulation contained in it, is impracticable in these times; or that any one is impolitic or dangerous to be executed,

executed, either to the individual, executing it, the poor who are the objects of it, or the nation at large who are interested in the consequences arising from it; those sections which relate to the raising a sum of money by assessment on the occupiers, are most certainly executed with all strictness; but the first great purpose of the money so raised, the purchasing stock to set to work those children whose parents are not able to maintain them; and also the idle, whether from choice or necessity, is too much neglected; although there is no doubt but the habit of early industry once obtained, by an application of some part of the money thus raised; and by these means, the poor being inured to an industrious way of life, would of itself amply compensate the parishes for the purchase of a stock of materials; although the manufactures thus fabricated might not meet with a ready sale, at a price which will allow of a computation for much profit.

It is a well-known fact, that considerable sums are expended in every parish, in the purchase of articles for the cloathing of the poor, which are bought of the retail shop-keeper in the country, at a fair average of thirty per cent,

more

more than the prime cost of the materials and fabric to the manufacturer ; in this article, therefore, a very great saving may be made, by employing the hands of children now in idleness, or mischief, in such a manufactory ; as might comfortably and neatly, although coarsely, cloath their relations and themselves at a much cheaper rate, with cloathing which would wear much longer than what is now bought at the shops ; in the mean time, the habit of industry would be obtained, and the first great object of this statute put in force, which now is almost generally neglected ; and the cloathing of the poor would form no inconsiderable source of consumption for those manufactures which might be produced by the early industry of their children.

L E T T E R IX.

TO prove, in some degree, that the idea thrown out in the preceding letter is not founded in theory, or vain speculation only, one experimental instance shall be given, too trifling it is acknowledged for the notice of the public, but much in point.

Having seen in the summer of 1787 the good effects arising from the schools of industry, throughout the southern district of Lindsey, in the county of Lincoln, it determined me to try, on a very small scale, the experiment in my own parish; and accordingly, in the winter of the same year, a person was persuaded to undertake the teaching six boys, of about the age of seven years, to spin what is called top-work, although it was desired the yarn might not be twisted so close as in that fabric, it being intended for knitting; a woman was also found to teach the same number of girls, of the same age, to knit stockings;

forty-two

L E T T E R IX.

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forty-two pounds of wool were bought at Bury for the experiment ; the account when manufactured stood as follows :

	£.	s.	d.
Combed wool, 42lb. at 11d. per lb.	1	18	6
Spinning ditto, by boys, at 4½d. per lb. some deductions made for waste included, - -	0	14	3
Twisting and reeling 33lb. 14oz. of yarn, at 2½d. and 3d. per lb.	0	8	0
Knitting 10lb. 12oz. at 1s. 4d.	0	14	4
Ditto 23lb. 2oz. at 1s. 6d.	1	14	7½
Total expended, -	5	9	8½

34 pair of children's stockings, and 43 pair of men's, weighing 33lb. 14oz. sold to the workhouse,	5	13	8
Ends of wool, 7lb. made into mops, at 4d. per lb. - -	0	2	4
1lb. 2oz. wasted and lost.			
Total produce, -	5	16	0
Profit, -	0	6	3½

By

By which it appears, that a profit of above six shillings resulted from the experiment, in which only 5l. 9s. $8\frac{1}{2}$ d. was employed.

	£.	s.	d.
Six boys were taught to spin, nine weeks, and earned	-	0	14 3
Six girls learned to knit, 27 weeks, and earned	-	2	8 $11\frac{1}{2}$

Supposing a capital of 5l. employed six months, in this infant manufactory, on which the clear profit was 6s. $3\frac{1}{2}$ d. (and five pounds is above the sum actually employed that length of time), a profit of 20l. 19s. 5d. will arise on 100l. thus employed for one year, and one hundred and twenty boys and an equal number of girls will be industriously employed, in learning an occupation; some money will be earned for their parents, by honest industry; and cloathing, at a much cheaper rate than what is bought at the shops, will be manufactured for the poor; for it is presumed that under proper management no inconsiderable quantity of the yarn produced may be wove
into

into a fabric which would make excellent, strong, and warm cloathing.

This experiment would have been continued ; but the man who taught the boys, and the woman who taught the girls, did not think so small a number worth their attention ; consequently, their scholars were neither regular in their attendance, or industrious while they did attend.

The salary paid to the master and mistress, is not brought into the account ; because it is conceived, that the price given on so small a scale, is not a rule on a large one ; and there is reason to believe, that the profits of such a manufactory will more than pay the salary to the instructors.

This idea of employing the children of the poor would extend itself, under good management, to other manufactures, besides those of wool ; why not to coarse linens ; and to shoes, for which the poor pay an extravagant price ?

If this be the case ; if so much good might probably arise from putting in execution the leading idea in this statute ; of employing the children of the poor ; which is an inconsiderable part only, of what was wisely enacted by

our forefathers, and foolishly neglected by ourselves, it surely, to those who complain of the burthen of the poor's rates; and at the same time neglect to execute the laws for promoting industry among the poor, may be objected in the words of Seneca, "*Sanabilibus ægrotamus malis; ipsaque nos in rectum genitos natura, si emendari velimus, juvat:*" but alas! what is the business of all, is the employment of none; we suffer an immense revenue to be raised on us, for two good purposes—for industry, and charity; and permit the perversion of half of it; for was one half of this revenue honestly and fairly applied to the purposes of the act, the poor would be more creditably, and comfortably maintained; and the other half might remain in the pockets of that class of the community, from whom the whole, is with such strictness exacted.

If it should be objected that no sufficient demand would be found for such a manufactory by children, the answer is obvious; there is a point to which the experiment might be pushed, and it will be time enough to stop when we can go no farther—it is not a sufficient excuse for our doing nothing, that we
cannot

cannot do every thing ; an account printed by the society for the promotion of youthful industry in the county of Lincoln, has, among many other excellent observations, pointed out the means of promoting a consumption of this produce of their manufactory, which may be seen in the margin * ; and some good consequences would certainly result to the poor themselves, as well as to those who are so heavily taxed for their maintenance ; for, if the infant poor could, by their industry, cloath their parents and themselves, by this leading principle of the statute being put in force ; the overseers would have smaller bills with the shop-keepers, whose livelihood principally

* With all those who have the good of their country at heart, it should be an object of constant attention to promote the consumption, no less than the sale of wool. A parish-officer who was mindful of this would never purchase a cotton or linen gown for the poor instead of a woolsey one, which is much stronger, cheaper, and more comfortable ; nor would he give them coarse cloath aprons, when blue woollen aprons would answer every purpose much better, and save washing : nor, lastly, would he suffer the money of the parish to be laid out in thread stockings instead of worsted ones ; all which things have been but too frequently practised.

raises from supplying the poor at exorbitant prices with their daily wants; the rising generation would be educated in more regular habits of industry; and the poor themselves would be better cloathed, and at a cheaper rate.

That the good resulting from the execution of that section of the 43d of Elizabeth which respects the employment of the infant poor, may appear in a stronger light, it may be worth while to call to mind what is in fact at this day the employment of the rising generation of the poor in that part of England where manufactures do not thrive, and where the operations of husbandry are the principal sources of industry and labour; there, in such districts which comprehend above a moiety of the kingdom, the children of the parish are encouraged by their parents to employ themselves in every act of peculation which is in their power, and which from the insignificance of the property stolen individually, is an object scarce worthy the attention of the magistrate; and to which, if he, on complaint made did attend, he could not correct; because the lit-
tle

the culprits are not objects of legal punishment; children of five, six or seven years of age being sent out in parties to pilfer.

But if the individual instance is too trifling for our notice; the aggregate forms no inconsiderable mischief done to the public, and property purloined from society, by these little thieves; a child steals a turnip or two daily for its parent's dinner, it is nothing—but the practice continued through a winter by hundreds of them will consume some acres; it carries, with the assistance of its playmates, the stakes from the hedges, and loose bars or rails, from the fences; the value of the property is small, though to repair the mischief done it is expensive; and when these depredations are carried on in the vicinity of a town or parish where the population of this class of people are hundreds or thousands, the total of mischief is considerable; and, though the crime is an object of civil punishment, the child is not; and the encouragement or connivance of their parents cannot fall under the magistrates authority; for the property stolen is instantly consumed before any search-warrant can operate.

In the mean time the material injury is done to the morals; the rising generation are in early youth accustomed to habits which turn them from the path of honest industry, to the high road which leads through every species of depredation on society, to the gallows.

L E T T E R X.

THE necessary relief of soldiers and mariners, which is enforced in a chapter immediately following the act, that has been the subject of our attention; and a law to redress the misemployment of lands, goods, and stocks of money, heretofore given to certain charitable uses, which follows chap. 4th; complete the plan of that parliament which sat till near the close of the reign of Elizabeth; the latter statute being at present as necessary to be called into practice; and, if executed, as well calculated for bringing to light any perversion of that vast property which has been left by our forefathers for charitable purposes, as any plan that the ingenuity of the legislature could in these

these days invent ; and it still remains the law of the land ; and the authority of the chancellor might at any time call it into use, by an appointment of commissioners according to the act, within the different dioceses.

These, with many more statutes for the regulation of the internal police of the kingdom, were the production of the last parliament which sat in the reign of Elizabeth ; an æra, with no extravagance of metaphor, called golden, if applied either to the glory of her reign with respect to the success of her subjects arms ; the importance of it, with respect to foreign powers ; or its utility and happiness as it regarded those who lived under her dominion : whatever may have been her private character as a woman ; whatever intrigues, which may have arisen from love, jealousy, or the other baser passions that disgraced her court ; a lapse of near two hundred years has with propriety removed, as with a veil from our eyes ; and they now only remain in the pages of the novellist, or the retailer of frivolous anecdote ; but her last words to her last parliament, while coupled with such laws as do honour to human nature, and

are a severe satire on the load of revenue acts, with which our modern statute-books abound, ought to remain with grateful recollection fixed on the minds of all posterity; "I know that
 " the commonwealth is to be governed for the
 " good and advantage of those who are com-
 " mitted to me; not of myself to whom it is
 " entrusted, and that an account is one day to
 " be given before another judgment-seat."

During the reign of James the First, very little was done by the legislature in the regulation of the internal police; the jealousy which arose both in the mind of the King and the Commons, occasioned that Prince to avoid, as much as his necessities would permit him, meeting his parliament; while the House of Commons, who early in the reign felt the effects of those high notions of prerogative which disturbed the repose, equally of the prince as of his subjects, were too intent on the preservation of their own privileges to attend to the general welfare of the people; yet one of their first acts of legislation related to rating the wages of artists and labourers; and, by stat. 1. cap. 6. parliament enlarged the powers of justices of the peace with respect to the rating the
 wages

wages of workmen, as directed by 5th of Eliz. cap. 4. extending the same to all manner of workmen whatever, "either working by the day, week, month, or year, or taking any work at any person's hand whatsoever to be done by the great or otherwise," rendering also the return of the certificate of such rates of wages into Chancery unnecessary; by directing them to be proclaimed, engrossed in parchment, and kept by the Custos Rotulorum of the county, among the records.

This attention to, and enlargement of the powers of the 5th of Elizabeth, is a proof that good arose to the public from the rating of wages; because if the experience of forty years had proved it to be replete with more mischief than use, it cannot be supposed that the legislature would have extended the practice, and made the power general, which had been hitherto confined to particular classes of workmen; nor would the execution of the act have been rendered more easy to the magistrates; yet there is reason to believe that the justices seldom enforced the execution of these acts; because on a search made in the office of the clerk of the peace for the county of Essex,

only

only one instance could be found; and that at Easter sessions 1661: and Sir John Cullum, in his History of Hawstead, in the county of Suffolk; whose intention, in that excellent model of parochial history, was, among other objects, to give the reader information on the subject of wages of the poor, in times now far removed, and the cotemporary prices of the necessaries of life; mentions also but one instance, viz. in Easter sessions, 1682.

Other statutes, affecting the lower classes of our fellow-subjects, although not immediately relative to the topic in question, were also passed in the beginning of this reign: the 39th of Elizabeth, with respect to the punishment of rogues and vagabonds, was explained and continued, by chap. 7th; haunting and tippling in ale-houses was also restrained, by chap. the 9th of the same sessions; an act, the preamble to which is curious, and states, very properly, the only proper use of such places; "Whereas the antient, true, and principal use of inns, ale-houses, and victualling-houses, was for the receipt, relief, and lodging of wayfaring people, travelling from place to place, and for such supply of the
wants

wants of such people, as are not able, by greater quantities, to make their provision of victuals ; and not meant for entertainment, and harbouring of lewd and idle people, to spend and consume their money, and their time, in lewd and drunken manner." Be it enacted, &c.

As this act punishes the keeper of the ale-houses permitting unlawful drinking, so does chapter the fifth, of the statute passed in 1606, punish the tippler, or drunkard, himself ; both which statutes, although at present the law of the land, and well calculated to prevent drunkenness, the root of much evil ; yet are no more attended to by the magistrate of these days, than as vain and nugatory sounds, of the regulation of other times, which are long passed away, and the memory of which remains not, except in the page of history.

In the seventh statute of this reign, chapter the third, directions are enacted, how the money given for the binding poor children apprentices, shall be employed ; by the preamble to which, it appears, that great sums of money had then been given, and more was likely to be given, for the purpose of binding
poor

poor children apprentices, unto needful trades and occupations ; a purpose to which the charity of modern times, although in many instances profuse, and in some redundant, has not in the least attended ; and, therefore, this statute, except as far as it may respect sums of money then given, and still in stock, or lands, bought therewith, is now not in use.

The fourth chapter of this session has somewhat of a reference to the 43d of Elizabeth ; as that directed a stock to be raised, to set the idle, whether from choice or necessity, to work, so this statute directs houses to be builded, to receive those who are idle, by choice, in which they may be compelled to work ; and gives birth to houses of correction, and the regulations respecting them ; for, although by the 39th statute of the late reign, justices of the peace were empowered to erect houses of correction ; yet, it appears, by Lord Coke's reading on this statute, that those powers were not carried into execution ; and a penalty of 5l. is now laid on every justice, within every county of the realm, where such house shall not be erected or provided.

One

One most severe clause is inserted in this act of parliament, affecting the mothers of bastard children; a severity totally incompatible with any idea of a just proportion of punishments to crimes, and diametrically opposite to every principle of moral rectitude; that clause is alluded to, which impowers magistrates to commit to the house of correction, to be punished and set to work, for the term of a whole year, any woman who shall have a bastard, which may be chargeable to the parish; and this without any authority of mitigation, for the first offence; and for the second offence of this kind, “*estfoons if she shall offend again,*” she is to be committed, *until she shall find securities not to offend again*; so that for the first instance of immorality, she is to suffer a severity of punishment, infinitely disproportionate to the offence: for the second, or any future instance of similar misconduct, her punishment, if she is a prostitute to a man of property, may be nothing: a severe and foolish law; one much more honoured in its neglect, than in the observance.

After the dissolution of this parliament, in 1609, none other was called for fourteen years;
and,

and, in the mean time, James had full opportunity of giving his subjects a sufficient specimen of king-craft, as he was used to call it, or art of government; but in the twenty-third year of his reign, he found himself obliged to assemble the parliament, which continued sitting until his death; that happened in 1625. In this parliament, nothing was done, with respect to the interests of the lower classes of the people, except another act to repress drunkenness.

L E T T E R X I.

THE reign of Charles the First continues the acts already in force, with respect to the poor, but produces nothing new on this subject, except a farther restraint on tippling in inns and ale-houses; the former acts had restrained, by penalty, his majesty's subjects only; this, which passed in the first year of his reign, extended to foreigners also. It is
curious

curious to observe, that as soon as ale-houses had obtained a legal sanction, under the licence of the neighbouring magistrates; the bad consequences resulting from them, in promoting idleness, debauchery, drunkenness, and all manner of mischief, was severely felt by the nation, and frequent attempts were made by the legislature, to restrain those abuses, but, it is feared, with little effect; because it may be perceived, that additional restraints on persons who haunted those pests of all good order, were imposed, year after year, by the parliament, and facility of conviction was consulted, almost at the expence of religious obligations; these statutes remain in full force at this day*; and it is in the knowledge of us all, how much society hourly suffers in its morals and industry, from these too frequent, and too much frequented places of license and ebriety; but the

* By the 21st of James the First, chap. the 7th. which is continued by an act in the third of Charles the First, and again by an act in the sixteenth of the same reign; the oath of a tippler, having first confessed that he was tippling in an ale-house; shall be sufficient proof against others, of the offence; which incurs, to those tippling, a penalty of five shillings; and to the ale-house keeper permitting it, a disability to keep an ale-house for three years ensuing the offence.

financier will tell us, that by these, and similar enormities, the revenue is encreased, and the treasury makes up a good account : to which, the proper reply of a good subject, and a good citizen may be.

Non tali auxilio nec defensoribus istis,
Tempus eget.

The scene of confusion, and civil discord, which followed the parliament that was held in the 16th of Charles the First, and the intestine wars, which desolated this kingdom, during a period of near twenty years, until the restoration of the second Charles, forbid any expectation of separating, during their continuation, the concerns of the poor from the miseries of the soldier : *inter arma silent leges*, says Lord Coke ; and the maxim has ever been found true by experience, which has also proved to us ; that in all civil commotions, where the folly of the million has been made subservient to the purposes of the few, the rights of the citizen fall before the self-interested purposes of individuals.

Until the Restoration, which was above half a century from the 43d year of the reign of Elizabeth,

Elizabeth, the parliament had made no alteration in the laws with respect to the maintenance and employment of the poor; and that statute remained the law in that respect; nor has there been preserved to us any pamphlet or fugitive tract, which during that period has reflected on this statute, as being deficient either in policy or prudential regulation; on the contrary, it has been continued from time to time without any comment whatever, and particularly by stat. 3. Charles I. chap. 4. and 5.; a silent but a strong presumption, that it had been hitherto found equal to the great purpose expected from it; the extention of charity, by the means of industry.

Soon after the restoration of Charles the Second, that is to say, in the 13th and 14th year of his reign, which takes its date in the statute-book from the death of his father; it was perceived that partial inconvenience had risen in a manner, from the general good effects of this act of Elizabeth, as an extract from the preamble to chap. 12th of the statute of that date will plainly demonstrate; which states, that, “whereas poor people are not restrained from going from one parish to another, and

fore do endeavour to settle themselves where there is the best stock and largest commons and wastes to build cottages." It appears by this preamble, that a good stock of materials to work up, and a chance of obtaining habitations, occasioned the poor to migrate from those parishes where the overseers were negligent in these matters, to other parishes where they had a chance of a domicile, and employment; and surely every principle of freedom, and every duty of reciprocal justice should permit the poor who live by their labour to remove *ad libitum* to those parishes where they may find labour to live by; notwithstanding the partial inconvenience felt by particular parishes, when the general good will be so much better promoted, both in principle and practice. This is the first act which respects the settlements of the poor, but does not attempt in any instance an alteration of the 43d of Elizabeth, and may rather be called, with no impropriety, a useful addition to that venerable edifice; comprehending in it the origin of settlements, work-houses, and the laws respecting rogues and vagabonds, together with regulations as to the maintenance of natural children.

The

The dignity of history very seldom stoops to record the distresses or comforts of the bulk of the people; the business of the historian, is with wars and revolutions, treaties and the infringement of them, the intrigues of party, and the excesses of the higher orders of the state; but rarely does he condescend to relate,

The short and simple annals of the poor.

It is, therefore, from other sources our information must be supplied; from the pamphlet, or the newspaper of the day; and, hitherto but few of these have come to hand, of so remote a date as the middle of the last century; from the only existing instance on record, that could be found, of the justices rating of wages, in the county of * Essex, compared with the cotemporary

* Essex, Easter Sessions, 1661.

Common labourers, fellers, and makers up of wood, ditches and hedges; threshers, and all other common labourers, by the day (the time of harvest excepted.)

	with board.		without board.	
	s.	d.	—	s. d.
From the middle of March, to the				
middle of September	-	0 8	—	1 2
	1 2			Mowing

cotemporary prices of wheat and malt, a reasonable conclusion may be drawn, that the proportion between the scarcity of the *necessaries* of life, and labour, was by that means more exactly preserved than in these times; for although the price of wheat is very high, yet in the other articles of the consumption of a poor family, in candles, soap, beer, no such excise duties took place then, as now do; nor was tea and gin so much their beverage; nor had

	with board.	without board.
	s. d.	— s. d.
From the middle of September, to		
the middle of March, -	0 6	— 1 0
Man hay-maker, -	0 8	— 1 0
Woman hay-maker, -	0 5	— 0 10
Weeders of corn, -	0 4	— 0 9
Mowers of corn and grafs, -	0 10	— 1 6
A fallower, -	0 6	— 1 3
Man reaper, -	1 0	— 1 10
Woman reaper, -	0 8	— 1 2

Labourers by Task.

	s. d.
Mowing an acre of grafs, -	1 10
Well-making, clean raking, and cocking, an acre of	
grafs, ready to carry, -	2 0
Reaping, or shearing, well-binding, cocking, or shock-	
ing, an acre of wheat, rye, or meslin, -	4 0
Reaping, or shearing, an acre of barley, or bullymony,	
binding and shocking the same, -	2 6
The same to oats, -	2 6

Reaping

had paper credit so much depreciated the value of money, by raising ideal riches, as at present; for in such a proportion it is supposed the value of gold and silver to be decreased, and consequently the money-price of the necessities of life increased; that a poor family which could, in the middle of the last century, earn 20*l.* a year, was in a better situation than the same family would be now, with earnings amounting to 50*l.* a year; therefore, the prices of labour were more adequate to supply their wants *, altho' the price of wheat

Reaping and well-binding an acre of beans,	-	3	6
Mowing an acre of barley, or oats,	-	1	2
Making an acre of pease, vetches, or tares,	-	1	9
Making and ditching a rod of new ditch, 4 feet wide, out of the whole ground, 3 feet deep, 1½ foot at bot- tom, double set with quick, and setting a hedge upon it, after the rate of 16½ feet a rod, with gathering sets for the same,	-	-	1 2
A rod of ditch, of like breadth and depth, without quick,	o	6	
Threshing wheat and rye, the quarter,	-	1	10
———— barley and oats,	-	o	10
———— beans, pease, bullymony, tares,	-	o	10
£. s. d.			
The prices of wheat, this year, as appears by Fleet- wood's Chronicon, per quarter,	-	3	10 0
Malt, per quarter,	-	1	13 4

* *Wants*, this expression is understood to comprehend not necessities alone, but the comforts and indulgences of life.

was very high, than the prevailing prices in this county at present ; besides, at this time, a poor family might, without the fear of being sent back by the parish officers, go where they choose, for better wages, or more certain employment ; whereas since the year 1662, the law of settlements, introduced by 13th and 14th Charles II. chap. 12, has much abridged their liberty in that respect ; made them of necessity stationary, and obliged them to rest satisfied with those wages they can obtain where their legal settlement happens to be ; a restraint on them which ought to insure to them wages in the parish where they must remain, more adequate to their necessities, because it precludes them in a manner from bringing their labour, the only marketable produce they possess, to the best market ; it is this restraint which has, in all manufacturing towns, been one cause of reducing the poor to such a state of miserable poverty ; for, among the manufacturers, they have too frequently found masters who have taken, and continue to take every advantage, which strict law will give ; of consequence, the prices of labour have been, in manufacturing towns, in an inverse

verse ratio of the number of poor settled in the place; and the same cause has increased that number, by inviting foreigners, in times when large orders required many workmen; the masters themselves being the overseers, whose duty as parish officers has been opposed by their interest in supplying the demand.

But on the other hand, the question what are the necessities of life, should be taken into consideration; and this is a point not easily settled; the rigid rule of justice so constantly militating with the laudable but desultory feelings of humanity; when we assert that nothing is a necessary to life but what supports the stream of life, we confine the number of articles within a narrow limit; and possibly to those articles also whose price is not much risen, or the use of which is trifling in a poor family, as linen, soap, leather; but when with a wider scope of humanity we take in the comforts of life which were in contemplation in the preceding paragraph, the expences of the poor are very considerably increased; to settle our ideas on this subject, Adam Smith may be thought no improper moderator; at least his high character for strong sense, com-

bined with deep knowledge of the topic, point him out as of the best authority; he reckons as necessaries to the poor in England, linen, soap, leather shoes; he classes beer, ale, tobacco, tea, sugar, and spirituous liquors, among the luxuries of life, but professes he means to throw no reproach on a temperate use of them.

Although the reign of Charles II. extended to the year 1680, and the parliament regularly sat every year except the 21st, 24th, 26th, and 28th of his reign, yet but little more was enacted respecting the poor; in the 23d session, by chap. the 18th, some further regulations with respect to work-houses, were thought expedient, and passed into a law; and in the 19th, the 22d, and 30th session, the situation of poor prisoners was taken into consideration, and some good regulations made to give them means of employing themselves while in confinement; to prevent the spreading of infectious distempers, and to expedite the discharge of prisoners, when liberated by course of law; yet as they do not fall under the particular object of this inquiry, there is no occasion to make any observations on them; but let us
pass

pass on to the ensuing reign, stopping only to enquire whether any treatises have been printed before the Revolution and preserved to the present time, which may throw light on this important subject.

L E T T E R . XII.

THE information which may be gleaned on the subject of the poor of this kingdom, from the earliest time, until the close of the last century, by tracts, pamphlets, or fugitive publications, is not much more satisfactory and particular, than what the pages of the history of this country afford; it should seem, that excepting here and there a mind thirsty after that information, which may be serviceably applied to the benefit of our fellow-creatures; people, in general, of all denominations, at all times, recede with disgust from enquiries of this nature, and throw aside that book, whose periods remind them of the miseries attendant on the great mass of human

man

man lives, within this kingdom; or vainly, although with a good intent, attempt to point out some means to mitigate or avert them; the result of every enquiry a country life could afford, together with an unlimited order to one of the first bookfellers in town, to collect every thing that has been written on the subject, to the close of the last century, has produced a very insignificant list; more tracts must certainly have been published, but it is supposed not many worth notice, because scarce any are quoted, or mentioned, in the pages of those which have been collected: among the farrago of pamphlets published during the last century, which the British Museum possesses, many, it is possible, whose titles would not otherwise have existed to this time, have been preserved; but neither time or opportunity have offered, to search that immense arsenal of literature; in the meantime, the subject itself presses on the mind; and some apprehension lest the illness of my friend *, should occasion a temporary discontinuance of that useful publication, on account

* At this time Mr. A. Young was dangerously ill.

of which the enquiry was first begun, before it is brought to a conclusion, which would, in some respect, leave the Annals of Agriculture imperfect; a work which reflects lasting honour on *him*, who, with such success, has brought, as it were, under a glance of the eye, a mass of agricultural information, that will long remain a valuable treasure to the kingdom; these reasons have urged me to continue the plan hinted at a few pages back; although at present so indifferently provided with materials on the subject.

It creates no small degree of surprise, that a mind so capacious as the Viscount St. Alban's, who lived cotemporary, and was art and part with that parliament which passed the famous statute of Elizabeth; among the voluminous pages of his writings, and the vast variety of subjects, his almost omnipotent abilities comprehended, and his indefatigable pen treated of; should not have left a single tract on this important subject; one paragraph alone can be found, a mere drop, amidst the ocean of five quarto volumes of his works; and this drop is in his advice to the king,
touching

touching Mr. Sutton's † estate; but by this it is apparent, that his ideas were not well digested on this subject, nor was the topic closely entered on; the only passage worth extracting is the following; " But chiefly it were to be wished such beneficence towards the relief of the poor were so bestowed, as not only the mere and naked poor should be sustained, but also that the honest person which has hard means to live, upon whom the poor are now charged, should be in some sort eased: for that were a work generally acceptable to the kingdom, if the public hand of alms might spare the private hand of tax; and, therefore, of all other employments of that kind, I commend most, *houses of relief and correction*, which are *mixed hospitals*; where the impotent person is relieved, and the sturdy beggar buckled to work, and the unable person also not maintained to be idle, which is ever joined with drunkenness and impurity, but is sorted with such work as he can manage and perform; and where the uses are not distinguish-

† The founder of the Charter House.

ed, as in other hospitals, whereof some are for aged and impotent, and some for children, and some for correction of vagabonds, but are general and promiscuous, that may take off poor, of every sort, from the county, as the county breeds them; and thus the poor themselves shall find the provision, and other people the sweetness of the abatement of the tax: now if it be objected, that houses of correction in all places have not done the good expected; as it cannot be denied, but in most places they have done much good; it must be remembered, that there is a great difference between that which is done by the *distracted government of justices* of peace, and that which may be done by a *settled ordinance*, subject to a regular visitation, as this may be."

When Sir Francis Bacon, as Attorney General, drew up this letter of advice for his master, James the First; he must surely have conceived in his mind some idea of *incorporated houses of industry*; and anticipated, as it were, by prophetic foresight, somewhat of those excellent regulations, which, through the auspices of a reverend and worthy magistrate, have brought the poor under such good order,

order, and so reduced the rates in those parishes, whose house of industry he, with such attention, at present, presides over ‡.

The words, *distracted government of justices of peace*, are worth our notice; it is to be feared that the observation would equally apply, through the many years that have passed since this advice was given, as it did then; a farther comment on this expression would be indecorous; but it warrants this single observation, that as the *gratis* opinion of a lawyer is not thought so good, as that which a *fee* commands; so possibly the *gratis* or *voluntary attention* of the gentlemen in the commission of the peace, is likely to be more desultory and distracted, than that which a salary might purchase.

My Lord Hale is the first great name on the list of those, who have turned their attention to the employment and relief of the poor; the year his plan first appeared in, is not apparent in the copy; but it certainly preceded any other in my possession; as it must have been written before 1676, that being the

‡ The Rev. Mr. Cooke, of Semer, in Suffolk.

year in which he died; it would take up too much time to transcribe all in this excellent tract, which is deserving our attention; therefore those parts only shall be taken notice of, which are most to our purpose; he says, "The only statute which provides universally for the poor, is the forty-third of Elizabeth, which generally makes two provisions.

"*First*, for the impotent poor that are not able to work, and for these it is a good and effectual provision, if duly executed.

"*Second*, for those *that are able*; the defects of this provision are, first, in the execution, the second defect is in the law itself; which is, that there is no power in the justices of peace, or some superintendant power, to compel the raising of a stock, where the church-wardens and overseers neglect it. 2. The act chargeth every parish apart, where it may be they are able to do little towards it; neither would it be so effectual, as if three, four, five, or more contiguous parishes did contribute towards the raising of a stock, proportionable to the poor respectively. 3. There is no power for hiring or erecting a common house, or place, for their common work-house; which

which may be, in some respects, and upon some occasions, useful and necessary, as shall be shewn.

“ The remedies are ;

“ 1. That the justices of the peace, at the quarter sessions, do set out and distribute the parishes in their several counties, into several divisions, in each of which there may be a work-house, for the common use of the respective divisions, wherein they are respectively placed, to wit, one, two, three, four, five, or six parishes to a work-house, according to the greatness or smallness, and accommodation of the several parishes.

“ 2. That at the sessions, the churchwardens and overseers of the poor of the respective parishes, bring in their several rates for the relief of their respective poor, upon oath. And that the said justices do assess three, four, or five yearly payments, to be levied and collected at one or two entire sums, within the time prefixed by them, for the raising a stock, to set the poor, within those precincts, on work ; and to build, or procure, a convenient work-house, for employing the poor (if need be) in it, and for lodging materials,

terials, and for instructing children in trade or work.

“ 3. That there be yearly chosen, by the said justices, a master for each work-house, with a convenient salary, out of the said stock, or the produce thereof, to continue for three years; and two overseers, to see the issuing and return of the said stock, and to take the accounts quarterly, or monthly, of the master, as they shall think fit.

“ 4. That the stock be delivered to the overseers, and by them issued to the master, as there shall be occasion; and that they also, from time to time, receive the produce of the said stock, and the accounts for the same.

“ 5. That at the end of every year, the master and overseers give up their accounts to the two next justices of the peace, at times by them prefixed, and publicly notified, to the inhabitants of each precinct, to the end that they may take any exceptions to such accounts, if there be cause.

“ 6. That the master and overseers of every respective work-house, stand and be incorporated, by the name of the master and over-

feers of their respective precincts, and capable to take in succession by will or otherwise, lands, goods, or money, or other legacies or gifts, for the benefit of the poor within their respective precincts.

“ 7. That they also be accountable, as well to their respective successors, as to the justices of the peace at their quarter sessions, for the benefit, and produce, and employment, of such gifts and bequests.

“ 8. That they be disabled to grant any lands to them given or bequeathed, for any longer term than one year, and at an improved rent.

“ 9. That if any person that is able to work, and not able to maintain himself, shall refuse to do so, he may be forced thereto, by warrant of two justices of peace, by imprisonment, and moderate correction in such work-house.

“ 10. If any person employed by the master, shall embezzle, or wilfully prejudice or spoil his work; he shall, upon complaint and proof thereof, by the party grieved, to any justice of peace, and by warrant from him, receive imprisonment—

prisonment or moderate correction, by warrant of such justice.

“ These are the heads of that provision I could wish for the setting the poor to work, which is but an essay, and may receive alterations or additions upon consideration.”

This excellent man then speaks of the benefits arising from his plan; and answers some objections to it; and then concludes, that such a plan, if it could be accomplished, would be a work of great humanity, which would become a Christian and a good Englishman. In this plan, the idea suggested by Sir Francis Bacon is improved, matured and digested into some regularity; and under this form it presents to our view a prototype as it were of Mr. Gilbert's scheme, which has lately attracted the attention of the publick.

The next publication which has been collected in point of time, is by *Andrew Yarrington*, who appears, by his own account, to have been a linen-draper, and afterward employed by some gentlemen, to bring a manufacture into England, from Bohemia and Saxony, made (to use his own words) of iron and tin;

it appears also, that he was a surveyor to some iron works in Ireland; he certainly possessed great information on matters of trade, and a clear understanding; the imprimatur of his book bears date 1676; the title is an epitome of its motley contents, "England's Improvement, by Sea and Land, to outdo the Dutch without Fighting, to pay Debts without Money, and to set at work, all the Poor in England, with the Growth of our own Lands," *cum multis aliis*; in this curious, and in some respect instructive book, may be found the first idea of a *school for industry*, according to the practice in Holland, and Flanders, which the author takes great pains to prove might with profit be carried into effect in England; he also, in a vision of future glory, anticipates, in prospect, the extent of our paper credit, our numerous inland navigations, the full employment of the infant poor, and our consequential riches; his vision is completely verified in the two first instances, and their consequences; why it may not in the other, remains probably for another century to prove; but surely as the complaint that the poor are not employed, and

and that idleness prevails among them, may be now made, with at least equal truth, towards the close of the eighteenth century, as it was about the middle of the seventeenth; why the other part of his prophecy should not be brought to pass, remains in nothing but experience itself to show; and it is to be hoped that the Sunday Schools will prove harbingers to the attempt.

Mr. Thomas Firmin, a friend of Archbishop Tillotson, is the next writer on this subject; his two letters to that prelate, entitled, "Some Proposals for the Employment of the Poor, especially in and about the City of London," bear date in the years 1678, and 1681; he appears to have been a man of respectable character, and frequently to have been employed in distributing private charity; in his first letter he speaks of his success, attending a plan for a kind of work-house in the parish of Aldersgate, to employ the poor in spinning flax, and hemp, at their own houses; his experience in this business is great, and so is his success; he perceives, he says, by his experiment, "that the only way to provide for the

poor, and to bring them to labour, is to provide such work for them as they may do at their own homes, which, though never so mean and homely, is more desired than any other place; and the way which several persons have proposed of bringing them to a work-house, will never effect the end intended; for suppose a woman hath a sick husband, or child, or some infirmity upon herself, in all such cases she may do something at home, but cannot leave her own house; true indeed, for vagrants, or sturdy beggars, who have no habitation, and must be held to their labour, as galley-slaves are tied to their oars, such public work-houses are very necessary; and I wish we had more of them, and that those we have were employed to this purpose to which they were at first designed and intended; but for such poor people as have habitations of their own, and who are known in the parish where they live, and would take pains at home, it is altogether unreasonable and unprofitable (in my judgment) to force them to a public work-house.

“ If any parish that abounds with poor people *would set up a school in the nature of a work-*

work-house, to teach poor children to work, who wander up and down the parish, and parts adjacent, and between begging and stealing get a sorry living, but never bring any thing unto their parents, nor earn one farthing towards their own maintenance, it would in a short time be found very advantageous, not only to the poor children, who by this means whilst young should be inured to labour and taught to get their own living, but also to their parents who should hereby both be freed from any charge by keeping them, and also in time be helped by their labour, as it is in other places.

“ And further, the parish would by this means be freed from much charge that now they are at, either to keep these children or to allow their parents something toward it, nothing being thought a greater argument for a large pension than that a man or woman, hath six or seven children; whereas unless they were all born at one time, or come faster into the world than ordinarily so many children do, it is very hard if some of them be not able to work for themselves. I myself have at this time some children working to me not

above seven or eight years old, who are able to earn 2d. a day, and some that are but a little older 2s. a week, and I doubt not to bring any child about that age to do the like; and still as they grow up and become proficient even in this poor trade of spinning, they will be able to get more and to spin better than older people. Neither would I have these schools confined only to spinning, but to take in knitting and making of lace, or plain-work, or any other work which the children shall be thought most fit for; and this is that, which (as I am informed) is practised in other countries with so great advantage, that there are few poor children who have attained the age of seven or eight years that are any charge to the parish or burthen to their poor parents; and Mr. Chamberlain (in his book, intituled, *The present State of England*, p. 137.) hath observed, that in the city of Norwich, it hath been of late years computed and found, that (yearly) children from six to ten years of age, have gained twelve thousand pounds more than what they have spent, and that chiefly by knitting fine Jersey stockings."

To

To this plan he supposes objections to be made ; he answers them all except the last question, which is,

“ What will you do with all the yarn these poor people shall spin ? If you weave it into cloth, the commodity is brought over so cheap, that you will never be able to sell without much loss ?

“ *Answer.* I must confess this objection hath too much of truth in it to be wholly removed ; the best answer I can make to it at present is this, That we had much better lose something by the labour of the poor, than lose all by letting them live in sloth and idleness : for suppose you should give 6d. for that work which is really worth but 5d. hence will 5d. really be got to the nation, though 1d. should be lost to the parish. Yet besides let it be considered, that if this person had not been employed, there would not less have been spent, but rather more ; forasmuch as 6d. that is got by labour, doth many times go further than 12d. given for doing nothing ; all the time people are idle they will be spending if they have it, and if they have it not, it is like they will be worse employed.”

It

It also appears from this letter, that no great good was conceived to arise from work-houses in the metropolis, of which they now had received some years experience; the act of parliament authorizing incorporated work-houses within the bills of mortality having passed in 1662.

In this letter is also the idea of a *badge*, on those among the poor who being incapable of labour, are maintained by the parish; and by the badge it was imagined they would not be likely to receive much from begging; it being apparent by the badge, that their parish maintains them.

The second letter, which appeared in 1681, seems much to our purpose, as it contains a plan of a School of Industry; but it would be of little service to give his intentions in detail, not only on account of the length of quotation, which would be necessary; but because it does not appear that his scheme was ever carried into execution; and it is apprehended that a more perfect plan actually is now in practice, through many parts of Lincolnshire; which, if any wish to establish such a school of industry fortunately prevailed, might be obtained

obtained from some of the worthy trustees; and such a school might be applied to spinning flax, as well as wool, knitting of stockings, winding of silk, making of lace, or plain-work, and the like; in this letter also Mr. Firmin supposes objections to his plan, and answers them all except the last, which is the same as has been noticed in his first letter, and which he confessed himself unable *perfectly* to answer; and here he gives the same reply as he did to the same question before; which has been already mentioned.

On the whole, his several schemes are practicable, and they fall from the pen of an honest and experienced man; his reasons in favour of them, answering the objections which he supposes may be made, are in general conclusive; except in the instance which has been recited; and the objection itself, as to the difficulty of finding a sale for the goods manufactured, would not probably be so strong at present, as it was a hundred and twelve years ago; nor would it apply so much to a *county* school of industry, as to one in *London*; the parents and relations of the poor children, whom their parishes now cloath at an expence
much

above the prime cost of the wares manufactured, would, it is apprehended, give vent to a considerable quantity of the goods ; more especially if the sale was encouraged by the parish officers and farmers recommending the manufacture to their labourers.

L E T T E R XIII.

SIR JOSIAH CHILD, who has, in his *new discourse of trade*, given one chapter on the relief and employment of the poor, shall be now attended to ; it does not appear, by the edition from whence this note is taken, which is the fourth, exactly when the first edition was published ; although, as the Parliament which sat in 1669 was not dissolved until 1679, it appears most probable, from the beginning of the preface, that it was published about the last date ; and therefore does not improperly follow Mr. Firmin's Letters.

In the chapter which relates to the poor, Sir Josiah begins, by intimating to the reader, that

that this is a *calm* subject, and thwarts no *common* or *private* interest among us; except that of the common enemy of mankind, the devil. It must strike every reader, that things are strangely altered since this tract was written; as the subject is in these days by no means *calm*, and thwarts many private interests, in every parish; although, it must be confessed, that, in some respect, these are the interests of the devil; as they are opposite to every interest of integrity and common honesty.

He argues for a defect in the poor laws, from the failure in execution of those statutes which relate to the poor; and rests the proof of his argument on this fact, that in every change of parties this nation may have experienced, all parties had these laws to steer by, and none of them sufficiently maintained the impotent, and employed the indigent. Could this worthy merchant be a member of parliament? Did he live in the world, and not know, by constant experience, that the maintenance of the impotent, or the employment of the indigent, is the very last object to which leaders of parties will attend? At least

least the experience of the present æra would prove the fact; however it might have been in the reign of Charles the Second. On the day when the House of Commons debated on the motion of Mr. Gilbert, respecting his bill, which was to determine whether it should be read a second time, or be rejected, about forty-four members attended; not a member who ranked high on the treasury bench, or in the phalanx of opposition; but Mr. Gilbert, and Mr. Young, who opposed the bill, had nearly the debate to themselves; and this bill, which involved in its consequences the material interests of the nation, was thrown out, by a division of thirty-four to ten:—the very next day, on a motion respecting the promotion of a few naval officers, the number of members who divided on the question were two hundred and eighty-three, the speakers were Messrs. Pitt, Fox, Dundas, Sheridan, and many others;—the fact speaks for itself.

But laying aside this objection to Sir Josiah's argument, and supposing that the parties in the state would attend to these regulations, and have attended to them, and that they are still badly executed; the same observation

servation might be made with respect to the laws of the Deity, the general received rules of morality, the Ten Commandments. All classes and conditions of men have long possessed all that is contained in the Decalogue, to regulate their conduct by; and all nations experience daily the faulty execution, or rather the constant breach of these sacred laws; to argue from the faulty execution or breach of a municipal rule, the inefficacy or impropriety of that rule, is bad logic; it is not the conclusion naturally following from the premises.

He says, the radical error is the leaving it to the care of every parish to maintain their own poor only.

To correct this error, he proposes a plan of a society, who are to be incorporated by act of parliament, by the name of *Fathers of the Poor*; to whom all churchwardens, overseers, and other officers should be subordinate; gives them powers superior to the magistrates; and consumes many pages in forming rules for the conduct of this incorporation; which is apparently intended, in the first place, for the city of London and its vicinity, although, in the

the end, the whole kingdom is supposed to embrace the plan.

Here surely may be seen the outline, from which Mr. Gilbert's late plan was filled up; or at least from hence fresh hints were taken; which, had it passed into a law, would probably have introduced throughout the kingdom general confusion.

It would scarcely be worth the trouble for the writer to transcribe, or the reader to peruse, the plan of Sir Josiah Child in the detail; as it is conceived, it never ought to be carried into execution, by the force of law, in this kingdom; some parts of it, which shall be just glanced at, will be an apology for this opinion.

“ 1st, That the said fathers of the poor
“ may have liberty to assess all parishes with-
“ in their district, so much as they yearly paid
“ to that purpose any three years preceding.

“ 2. That they may receive charitable
“ contributions, *on the Lord's day*, and at any
“ other times they may think fit.

“ 3. That they may have all the power
“ justices have.

“ 4. That

“ 4. That they may have power to send
“ such poor, as they shall think fit, into *any*
“ *of his Majesty's plantations.*

“ 5. That they may have petty banks, or
“ lumbards, for the benefit of the poor ; may
“ have *half what is paid at play-houses*, and a
“ *patent for farthings.*”

In the same manner as Mr. Firmin, Sir
Josiah asks, and answers questions, with re-
spect to his proposed plan ; two of the ques-
tions, together with part of the answers, are
as follow :

“ What will be the advantage to the king-
“ dom in general, and to the poor in parti-
“ cular, that will accrue by such a society of
“ men ; more than is enjoyed by the laws at
“ present ?”

Part of the answer—“ Poor children will
“ be instructed in learning and arts, and
“ thereby rendered serviceable to their coun-
“ try.”

“ What shall all the poor of these cities and
“ counties, being very numerous, be employed
“ about ?”

Part of the answer—“ The girls may be
“ employed in mending the cloaths of the

“ aged, in spinning, carding, and other linen
 “ manufactories; and many in sewing linen
 “ for the exchange, or any housekeepers that
 “ will put out linen to the matrons, that have
 “ the government of them.

“ The boys in picking oakum, making
 “ pins, rasping wood, making hangings, or
 “ any other manufacture of any kind, which,
 “ *whether it turns to present profit or not, is*
 “ *not much material*; the great business of the
 “ nation being, first, *to keep the poor from*
 “ *begging and starving, and enuring such as*
 “ *are able to labour and discipline, that they may*
 “ *be hereafter useful members to the kingdom.*”

This maxim deserves to be written in letters of gold, in all work-houses, houses of industry, schools of industry, and to be engraved in capitals in the overseers books in every parish in the kingdom; this is the great and leading principle in the forty-third of Elizabeth; it is for this purpose the stock of wool, flax, hemp, thread, iron, is *there* directed to be purchased; not for the view of immediate gain only; *but for the enuring such as are able, to labour and discipline that they be hereafter useful members to the kingdom.*

Two capital objections are obvious to any one who considers what has been transcribed of this plan.

The first is, that it proposes to raise a revenue for the maintenance and employment of the poor, in addition to that enormous one which we now complain of; and that by a *new tax*, and by a *patent for coining farthings; church collections* are also proposed, which were the very ground-work of the present poor's rate.

The second objection is founded on the little regard paid to the liberty of the subject; as it proposes to give the unconstitutional power to this society, of transporting the poor to our colonies, without a crime charged; merely from such conceptions of convenience, that might arise in the breasts of these *fathers of the poor*.

The tendency of opulence to taint the honestest principles, and to operate as a draught of the river Lethe, in producing among the *rich*, a total oblivion of the rights of the *poor*, is here well exemplified.—The merchant, rolling in wealth, forgets that banishment is a very serious punishment, for a crime of some enormity; to such a degree is it dreaded, that

some criminals have preferred death, the legal punishment of their crimes, rather than accept of pardon, on terms of transportation; he has also forgot, that to transport a fellow-subject, a crime committed, indictment, verdict of their countrymen, and the sentence of the laws, are necessary.

These are all the publications, which have fallen under our observation, before that memorable æra in our history—the *Revolution*. An event, taken together with those laws and regulations so favourable to the liberties of the subject which accompanied it, as to demand our most humble thanks to the Almighty Governor of kings and states; and also our grateful remembrance of those who were his immediate agents, in fixing our liberties, on their present solid basis; placed in a happy medium between *despotism* and *licentiousness*; a medium so difficult to be hit on, and so conducive to public happiness, when established; that philanthropy excites our wishes, possibly at the expence of our political interest, in favour of so many millions of our fellow-creatures as people the extensive kingdom of France; that they may at length find a haven
of

of security to their liberties, in a constitution similar to what we now enjoy; equally removed from the anarchy of democracy, as the slavery of despotism. In the mean time, it shall be the fixed point in view of this tract, to continue the enquiry with respect to the poor laws, and the relative situation of the poor themselves in society, from this period to the present day; and then offer some general principles, as a result from the whole of this investigation; in full confidence, that the remedy, as well as the mischief, may be made apparent; and also with some rays of hope, that the vacant hour of a retired life may be made conducive to a diminution of the train of evil, so large a mass of our fellow-subjects suffer under; as well as to a prevention of the increase, if not to a diminution of the present load of expence attending their maintenance and support; which will soon preoccupy the sources of revenue; and, in some future day of misfortune, may fall on us when we are less able to support it; and in falling crush us with its weight; entail in its consequences a long and tremendous ruin on all ranks of our fel-

low-subjects, together with a demolition of this much-admired constitution ; and involve us in a universal scene of confusion,

L E T T E R XIV.

THE law of settlements, introduced by parliament in the reign of Charles the Second, was a serious abridgement of the liberty of our fellow-subjects ; but was, at the same time, a consequence resulting from that humane consideration, which our forefathers felt, for their preservation from actual want : it became a prudential caution, from the time that parish rates were first collected, for the relief of the poor, that the money raised in a parish, should be applied to the relief of those only who belonged to that parish ; hence has arisen a restraint on the poor, in many instances cruel, in all unjust ; a great additional expence on those on whom the rate is levied,
arising

arising from costs of law, in determining settlements; an additional trouble to the magistrates; and to the gentlemen of the profession, much business and many fees; settlements now occupy no small portion of the attention of the King's-Bench; and reports of the determinations in that court, respecting them, are become voluminous, and form a topic of no small consequence, in the common-place book of the gentlemen of the long robe.

That a great part of the restraint on the poor; or, at least, that which bears hardest on them, by preventing them living in parishes where they may best get their bread, unless it happens to be their place of settlement, or they have a certificate of the consent of their parish to live there; may, with equal convenience and safety, be removed; and that much of the expence attending contests between parishes, with respect to settlements, may be saved, is certain; the heads of the bill brought into the House of Commons, by Sir William Young, immediately after the dismissal of Mr. Gilbert's plan, warrant this assertion; to speculate on the reasons why so much of that bill as re-

lates to certificates did not pass, is not the business of this investigation; which now proceeds to the first sanction the law of settlements received from the Legislature, after the Revolution.

Hitherto but little had been done, to confine the poor within their own parishes. The statute which passed in the reign of Charles the Second, empowering two justices; on complaint of the overseers, within forty days after any poor person had come to inhabit in their parish, in any tenement under the annual value of ten pounds, that they were likely to become chargeable; to remove them to their last legal place of settlement, was, at the Revolution, the only law extant on that subject; and being, together with the alteration, by the 17th of James the Second; directing that the forty days should be accounted, from the time of delivery of notice in writing; about to expire. The 3d of William and Mary, chapter 11, again takes up the subject; and directs that the notice should be read in the church, immediately after service, on the next Lord's day after it shall have been delivered; and then, that it shall be registered in the poor's book;

book; and inflicts a penalty on the churchwarden and overseer neglecting to read and register it; and also enacts, that serving a parish office, paying parish duties, and hiring and service for a year, of a person not having a wife or child, and serving an apprenticeship, by indenture, shall also gain a settlement: in these several cases, the appeal lies from the two magistrates adjudging the settlement, to the quarter sessions.

A regulation, which is intended to act as a restraint on the parish officers, in the distribution of the parish money, is also enacted in this statute; a register is directed to be kept in every parish of the names of such as receive collections; and the parishioners are ordered to meet in the vestry yearly, in Easter-week, before whom this register is to be produced, and persons receiving collections are to be called over, the reasons of their taking relief examined, a new list made and entered, and no other persons but such as are in the list shall be allowed to receive collections; except in case of pestilential diseases, and the small pox; without authority, under the hand of
one

one justice of the peace, residing within such parish, or the parts adjoining.

Soon did experience prove the mischief of the acts, with respect to the settlements of the poor; so early did the hardship on them, and the inconvenience to the parishes, arising from these restrictions on their natural liberty, to get their bread where they could best find employment, appear; that it was found necessary, in the year 1697, to open the door a little wider to them; and to let out of their parishes such as the church-wardens, overseers of the poor, and a neighbouring magistrate, should grant a certificate to; under the authority of an act passed in this year, for supplying some defects in the poor law; by which, such persons as may come to inhabit in any parish; bringing with them a certificate, properly attested, owning them to be inhabitants of the parish granting it, and engaging to provide for them whenever they ask relief of the parish in which they reside; shall not be removed until actually chargeable.

This act also directs badges to be worn on the shoulder of the right sleeve, by all those who receive alms from the parish; and inflicts a penalty on the parish officers relieving a person

person not wearing such a badge, and a punishment on the pauper refusing to wear it:—a good regulation, formed on wise principles, but almost universally neglected.

Persons, to whom poor children are bound apprentice, pursuant to the 43d of Elizabeth, are also, by this act, obliged to receive and to provide for their apprentices, under a penalty of ten pounds, to be applied to the use of the poor.

The legislature of this reign gives us no other regulations, with respect to the poor; and the general neglect of those which have hitherto been enacted, either as checks on the dishonesty, selfishness, and indolence of the parish officers; or on the impositions, debauchery, and laziness of the poor themselves, ought to be a matter of serious astonishment to those who reflect on the general complaint of the expence attending their maintenance and relief. What levity! what absurdity! in our lazy complaints of the weight of the poor's rate; let us but clap our shoulders to the wheel; the burthen is enormous, but might be shaken off, or greatly lightened, by those who administer the laws; were those laws, in fact, administered. Why do we throw the
blame

blame from where it ought to fall, and charge the laws themselves with the consequences flowing from a breach of them? They form, in general, a code replete with humanity in their principle, wise in their regulations, which uniformly tend to discourage idleness, and unnecessary expence, throughout the whole scope of their legislation; and are now charged with all those destructive evils they were intended, and are calculated, to prevent: the burthen of the poor's rate is heavy, and daily increasing, by a rapid accumulation; and the cause does not lie in a defect of the *laws* for the maintenance of the poor, but in a defect of the *execution* of those laws: we are affected with a similar impression as those weak minds, which, while the body is hastening to the grave, in a deep decline, have not energy enough to redeem returning health, by a course of exercise and virtuous temperance; but lazily suffer the vital principle to be extinguished, by continuing in a habit of indolence and debauchery: in short, we are infected by the *very vices*, which we so loudly cry out against, in those who are supported at our expence.

The

The same wretched principle, appears to have pervaded the execution of the poor laws, towards the end of the last century; and similar complaints of the increasing burthen of expence prevail; as may be seen in a pamphlet, named, *Bread for the Poor*, printed at Exeter in 1698, by Samuel Darker, signed by the initials of the author's name, R. D.; he says, in a kind of introduction, that " whoever takes the small trouble of inspecting the poor accounts, of a few parishes, may soon observe, that the charge of maintaining them, in some places is, within sixty years past, advanced from forty shillings to forty pounds yearly; in others, twice that sum; and mostwheres double,—within twenty years past, and like to double again in a short time; and notwithstanding such advance in maintaining the poor, yet the wages they receive is greater than formerly, work more plentiful, and provisions cheaper."

Where there is an effect, the author very properly says, there must be a cause; and that the causes are,

Profuseness of diet; instanced by the bread they eat, being of the finest flour; their drink,
ale

ale and spirits; spending their money in ale-houses, to the amount of an incredible sum, as appears from the payments to the excise, very little of which is spent by travellers, or housekeepers; and that they pay a price for what they drink, in these places, vastly superior to its real value.

As a remedy to this cause; relief in house-rent, meat, drink, cloaths, *and not money*, is proposed.

The second cause is idleness; this arises from receiving pay from the parish; people of this description, soon conceiving that the parish is *obliged* to maintain them; therefore their work is so much gained from them by the parish.

The remedy is; due care to employ the poor constantly, and oblige them to do such work as they can perform.

Giving excessive pay is another cause; by which is meant parish allowance; under this head the common outgoings of a day-labourer is computed; but the computation proceeds on an idea of expences, so much beneath what is necessary at present, and seems to be calculated

lated for the county of Devon only, that it would be futile to insert it.

The remedy proposed is; frugal allowance in quantity, kind, and value.

The fourth cause is; living in separate houses; whereas, did three or four families live together, fire, candle, and attendance, might be saved.

The author then explains the method of providing diet for the poor; gives many reasons why such a management should take place; and answers objections which he supposes may be made to relieving them in the necessaries of life rather than in money, which enables them to purchase the superfluities:— he also recommends badges, which, as we have seen, were about this time enforced by parliament.

It appears from this pamphlet, that the poor's rates for the county of Devon amounted, in the year 1698, to 38,991l. 13s. 5d. a year; which is asserted to be 30,000l. a year more than they were fifty or sixty years before; and that the whole amount of the poor's rates in the kingdom was then above twenty-one times as much, or more than
819,000l.

creased price of wheat; because, by this table, wheat is cheaper on the average of the last twenty-five years, ending in 1789, than in that of the first, ending in 1654, and but a little dearer than that ending in 1711.

The astonishing increase towards the close of the last century, can be accounted for much more reasonably than that which has arisen in this. When the first estimate was taken, towards the middle of the century, the civil war, and its consequential depredations, found employment and sustenance for a very considerable body of the poor; the soldier is not maintained by the poor's rate; and the wages of those who remained to till the lands, or were employed in our then mouldering manufactures, were probably raised on account of the want of hands; no such cause existed in 1698 or in 1785; and the price of wheat in 1698, referring to the same table, was 3*l.* 9*d.* a quarter, and in 1785 1*l.* 16*s.* 11*d.* a quarter; it appears, therefore, that the price of wheat has no effect on the expence attending the maintenance of the poor, and wheaten bread is, and long has been, the principal part
of

of their food; this, although it appears a paradox, is a truth. When wheat was 3l. 9d. a quarter, the expences of the poor amounted to but little more than one-third as much as in 1785, when the price of wheat was only 1l. 16s. 11d. a quarter.

As, by this statement, it appears, that the price of bread has no effect on the poor's rate; and it is believed, that, all things considered, the expence of *necessary* cloathing is not more increased, than the last article; an assertion, the proof of which shall not now be entered on; and the article of firing remains also nearly at the same price it was a hundred years ago; theft supplying (in woodland countries particularly) an ample succedaneum for price; it follows, that we should find out the probable cause of this alarming fact; alas! a superficial observer may read it as he runs, that indolence and luxury are the too obvious causes; indolence forces numbers on our rates, which industry would maintain; luxury uses profusely, what œconomic temperance would save; the one adds a million paupers to be maintained by us, the other expends, in the maintenance

of that million, what ought to maintain double the number ; the one brings the multitude, the other imaginary wants.

Juvenal exclaims, when contemplating the decadency of the Roman empire, strongly typified by Britain, in its profuse extravagance.

———Savior armis

Luxuria incubuit, victumque ulciscitur orbem.

The fact comes home to *us*, in every class and description of people ; as well poor as rich, the governors and the governed ; the consequence is also approaching ; and our duty will be to submit, with resignation, to that catastrophe which we cannot sufficiently rouse our energy to oppose.

L E T T E R

L E T T E R X V .

NEXT, in order of time to this publication, follows an Essay towards regulating the Trade, and employing the Poor of this Kingdom; written about the year 1700, by John Cary, Esq. an abstract from which may be seen in Dr. Burn's History of the Poor Laws; a publication which, had it been in my possession when this enquiry was first instituted, would have diverted me from the investigation; as I should have scarcely chosen to have gone over that ground, which so able a writer had beaten before me.

Mr. Cary attributes the burthen of the poor's rates to idleness; and enquires,

1. What hath been the cause of this idleness; and how hath it crept in upon us.
2. What must be done to restrain its going farther,

M 3

3. What

3. What methods are proper to be used to make provision for those who are past their labour.

The cause of idleness, he says, is the abuse of the poor laws we have, and want of better; the encouragement of ale-houses, on account of the revenue; but, above all, our laws to set the poor at work are short and defective, tending rather to maintain them as poor, than to raise them to a better way of living; rendering the poor more bold, by their knowing that the parish officers *must either find them work, or give them maintenance.*

Nothing but good laws can restrain idleness; such as may provide work for those that are willing, and force those to work who are able; for this purpose, work-houses are recommended, where the poor may be employed in manufactures.

The poor should also be employed in navigation, husbandry, and handicrafts.

The justices of peace should have power to assign youth to artificers, husbandry, manufactures, and to bind them apprentice.

As to those of elder years, who will rather beg than work, let them be forced to serve the
the

the king in his fleet, or the merchants on board their ships.

Young people should be prohibited from hawking and singing ballads about the streets; stage plays, *lotteries*, and *gaming houses*, should be strictly looked after.

Alms-houses are recommended, for those who are not able to work, or whose work is not sufficient for their maintenance. Poor's rates should be assessed with greater equality in cities and manufacturing towns, where the poor are serviceable to the rich manufacturers, by carrying on their trade; yet, when age, sickness, or a numerous family, make them desire relief, their chief dependence must be on those, who are but a step above their own condition.

Mr. Cary speaks, with praise, of an act of parliament which passed in the 7th and 8th year of William and Mary, for establishing a work-house at Bristol; which, he says, was pretty much on the plan proposed by Sir Josiah Child, for the cities of London and Westminster; but as this act is calculated for cities and great towns only, and cannot be a model

for counties, he subjoins the following proposal, to carry this design on throughout the kingdom :

That power be given, by act of parliament, for parishes to incorporate for building hospitals, work-houses, and houses of correction, for employing the poor, under the management of guardians of the poor ; the incorporation to be by hundreds.

The guardians to be the justices of the peace within the district, together with a number of the inhabitants, chosen out of each parish, in proportion to the assessment the parishes respectively pay.

The election of guardians to be every year, or two years,

The guardians to have power to chuse a governor, deputy governor, treasurer, and assistants, yearly ; and be impowered to hold courts, make bye-laws, have a common seal ; to order assessments to be leyied ; to summon the inhabitants of the parishes within the hundred ; to compel those who seek relief to dwell in their hospitals and work-houses ; to take in young people, and bring them up to work ;

work ; to teach them to read and write, and then to bind them out apprentices ; to provide for the aged and impotent ; to assist those whose labours will not maintain their families ; to apprehend rogues, vagabonds, and beggars, and set them to work ; to inflict reasonable correction.

This plan, by Mr. Cary, may probably have given the hint to those gentlemen who applied to parliament, in the twenty-ninth year of his late majesty's reign, for the act for the better relief and employment of the poor in the hundreds of *Colneis* and *Carlford*, in the county of Suffolk ; whether incorporations of districts for these purposes have produced a great proportion of good than evil ; whether they have tended to introduce among the lower classes of this country more industry, better health, better morals, more comfort, and whither on the whole the sum of their happiness is encreased ; cannot be determined by any other means than an examination of their effects after those years of experience which have passed since their first institution in the counties of Norfolk and Suffolk where they were first introduced ; that they have generally tended to depress the
poor's

poor's rate may be granted; but gold may be bought too dear.

It has been said in a publication *, the author of which founded, or might have founded, his observations on an actual examination of the facts after many years experience; that they have injured the principle of industry, destroyed the health and the hardiness of the adult living in, and the youth brought up in them; have introduced bad morals, shocking habits of indecency; have occasioned a decrease of population; and would, if they became general, so destroy the moral sentiments and happiness of the country, as to affect the political liberties and patriotic spirit of the nation, by bringing up the rising generation with sentiments and habits so dispirited and debilitated, as to render them only fit slaves of despotism; for, the author says, and with much seeming justice of observation: Of what moment can it possibly be to a wretch who has not the liberty of walking out beyond a certain boundary, that the kingdom be-

* The true Alarm, or an Essay shewing the pernicious Influence of Houses of Industry. 1787.

comes a prey to foreign invaders, or is torn to pieces by an intestine commotion, unless you may suppose that he is more likely to rejoice at a scene of perfect confusion, as he might then entertain a hope that in a general wreck, where he had nothing to lose, he might seize upon something worth having.

But let us hope and believe that the consequences actually felt from these houses of industry are not so deplorable; let us recollect that when a man undertakes in the title-page of a pamphlet to prove a point, as this writer does; it is plain he has a point to prove, and in which, if he fails in instances or arguments, he may expect to meet with some degree of public derision; the fear of this, twists his facts, turns his arguments, and points his periods, and no longer is he so friendly to truth as to system.

L E T T E R XVI.

I N expectation of finding, among the various subjects which fell under the pen of the celebrated Mr. Locke, some ideas which might serve as first principles on this interesting subject ; I turned over his works, and particularly attended to those tracts which he wrote, on lowering the interest of money, and raising its value ; a speculation which occupied the attention of the nation towards the close of the last century ; but the actual situation of the poor not coming under his consideration, nothing very applicable to the subject is to be found ; although a confused recollection strikes me, that some modern pamphlet on the poor laws, or their regulation, had stated Mr. Locke's ideas on the subject as erroneous ; whether so or not, it became me, while in pursuit of this enquiry, to know
what

what those ideas were, which, had they been found among his works, whether wrong or right, demanded, on account of his great name, that they should be noticed; for such a mind as his, on every topic which may have been the object of its disquisition, is a polar star to the ignorant wanderer: although nothing directly applicable to the police of the poor is found; yet a comparison which he makes between a kingdom and a farmer, is so much in point with their present profligate situation, the careless conduct of their overseers, and that spirit which has unhappily got head among our rulers, of encouraging the commercial world, at the expence of agriculture, and every principle of internal œconomy; while, at the same time, it so strongly authenticates the alarming prognostics of our decacy, alluded to a few pages back; that the whole passage, falling from the height of that great name, must make an impression, and occasion it to be worth transcribing.

“ A kingdom grows rich just as a farmer, and no otherwise. Let us suppose the whole island of Portland one farm; and that the owner, besides what serves his family, carries to market,

ket, to Weymouth and Dorchester, &c. cattle, corn, butter, cheese, wool, or cloth, lead, and tin, all commodities produced within his farm of Portland, to the value of 1000l. yearly; and for this, brings home in salt, wine, oil, spice, linen, and silks, to the value of 900l. and the remaining 100l. in money. It is evident he grows every year 100l. richer, and so at the end of ten years will have clearly got 1000l.—If the owner be a better husband, and contenting himself with his native commodities, buy less wine, spice, and silk at market, and so bring home 500l. in money yearly, instead of 1000l. at the end of ten years, he will have 5000l. by him, and be so much richer; he dies, and his son succeeds, a fashionable young gentleman, that cannot dine without champaigne and burgundy, nor sleep but in a damask bed, whose wife must spread a long train of brocade, and his children be always in the newest French cut and stuff; he being come to the estate, keeps on a very busy family, the markets are weekly frequented, and the commodities of his farm carried out, and sold as formerly; but the returns are made somewhat different; the fashionable way of eating,

eating, drinking, furniture, and clothing for himself and family, requires more sugar and spice, wine and fruit, filk and ribbons, than in his father's time ; so that instead of 900l. per annum, he now brings home, of consumable commodity, 1100l. yearly. What comes of this ?—He lives in splendour it is true, but this unavoidably carries away the money his father got, and he is every year 100l. poorer. To his expences, beyond his income, add debauchery, idleness, and quarrels among his servants ; whereby his business is disturbed, his farm neglected, and a general disorder and confusion prevail through his whole family : this will tumble him down the hill the faster, and the stock, which the industry, frugality, and good order of his father laid up, will be quickly brought to an end, and he fast in prison ; a farm and a kingdom, in this respect, differ no more than as greater and less. We may trade, and be busy, and grow poor by it, unless we regulate our expences ; if to this we are idle, negligent, dishonest, malicious, and disturb the sober and industrious in their business, let it be upon
what

what pretence it will, we shall ruin the faster."

This comparison of Mr. Locke's runs on all fours, as well with the actual state of the property, applied to the use of the poor in this kingdom, as with the situation of the finances belonging to the state itself. The reign of Elizabeth made the maintenance of the poor *compulsive*, with respect to the laity, which was in remoter times *voluntary*; what might in those days of frugality be taken from the pockets of her subjects by poor rates, we know not; but we know, that about the middle of the last century; the cattle, corn, butter, cheese, wool, yarn, consumed by this large family cost about 118,000l. more than the produce of their industry amounted to; fifty years afterwards their expences out-ran their income annually 819,000l.; in 1785, the surplus of their expences, above their income, or the produce of their industry; gradually had encreased to the enormous sum of 2,184,904l. annually; here you see plainly the effects of the change of manners and living, so forcibly instanced in Mr. Locke's comparison;
sugar.

in the eating, drinking, furniture, cloathing, sugar, spice, wine, and fruit, *otherwise tea and gin*; to which may be added, the debauchery, idleness, and quarrels of the individuals, which compose the bulk of this numerous family; to examine the comparison, with respect to the kingdom at large, is not the business of this tract.

The reign of Queen Anne is not so memorable for any laws regulating the internal police of the kingdom; as for the many blows which the ambitious spirit of Louis the Fourteenth received from the arms of the allies; nothing of material consequence was done with respect to the poor. By the 33d chapter of the fifth parliament, the vagrant act of the last reign was continued, with some farther directions; as was, by the following chapter, an act made in the 13th and 14th year of Charles II. for the better relief of the poor, and continued by the legislature at different times since, and which was ultimately made perpetual by chapter the 18th of the 12th year of this reign; and by chapter 23d, all the laws relating to rogues, vagabonds, sturdy

beggars, and vagrants, were also reduced into one act of parliament.

Neither does the subject seem, throughout this reign of war and conquest, to have occupied the attention of individuals; no publication of any account having lived to the present day, except a letter to the parliament by the author of Robinson Crusoe, one of those very few books which the late Dr. Johnson said he had been able to read *without skipping*. Daniel Defoe, in 1704, chose to publish a declamatory epistle, addressed to the parliament, with the following title, *Giving Alms no Charity, and employing the Poor a Grievance to the Nation*.

In this publication he informs his readers, that Queen Elizabeth, in her progress through the kingdom, observing the vast throngs of poor flocking to see and bless her, being struck with the multitude, frequently exclaimed, *pau-per ubique jacet*; and this truth, so tersely expressed by her, occasioned a continual study in her mind how to recover her people from poverty, and make their labour more profitable to themselves in particular, and the nation in general.

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He lays down the following as fundamental maxims :

1. There is in England more labour than hands to perform it, and consequently a want of people, not of employment.

2. No man in England, of sound limbs and senses, can be poor merely from want of work.

3. All our work-houses, corporations, and charities, for employing the poor, and setting them to work, as now they are employed, or any acts of parliament to empower overseers of parishes, or parishes themselves, to employ the poor, except, as shall be hereafter excepted, are and will be public nuisances, mischiefs to the nation, which serve to the ruin of families, and the increase of the poor.

4. That it is a regulation of the poor that is wanted in England, not a setting them to work.

These maxims he professes to demonstrate, but does not entirely succeed in the attempt, although he makes some very sensible observations in the course of his argument on each of the heads.

Dearness of labour he advances as a proof of the first maxim; and gives due praise to Elizabeth for what she did for the poor, particularly by encouraging the French manufactories, when the persecution under the Duke d'Alva drove them from the Netherlands; and also by that excellent act of parliament, in the 43d year of her reign, so often alluded to.

The stress of his argument lies against employing the poor in work-houses, corporations, houses of correction, and the like; because the method proposed to employ them is by spinning, weaving, and manufacturing our English wool; manufactures of which are all exercised in England to their full extent, and rather beyond their vent than under it; he therefore is of opinion, that for every skein of worsted spun in one place, there must be one less spun elsewhere: he supposes a manufactory of baize to be erected in Bishopsgate-street; unless a greater consumption can be found for more baize than were made before, for every piece made in London, there must be one less made at Colchester, and there-

therefore this is not increase, but only transposition of manufacture.

The only thing to be done is, to introduce some foreign manufactory; something which was not made here before.

He considers the poverty and exigence of the poor in England to be plainly derived from casualty or crime; by casualty he means sickness, loss of limbs, or sight, and any natural or accidental impotence.

The crimes of the poor, and from whence their poverty is derived, as from visible and direct fountains, are luxury, pride, sloth; the pride of good husbandry is no English virtue; it may have been imported, and in some places it thrives well enough.

The English labouring people eat and drink; but especially drink three times as much in value as any foreigners.

He accuses us of being the most lazy, *diligent nation* in the world; among our poor there is a general taint of slothfulness, which distemper he conceives to be so epidemic and deep rooted, that it is a question whether an act of parliament will reach it; the number of the poor is occasioned by the men *who will not*

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work, not by those *who can get no work*; all the work-houses and overseers in England will not reach this case; but if such acts of parliament can be made, as will effectually cure the sloth and luxury of the poor; will make drunkards take care of their wives and families; spendthrifts lay up for a wet day; lazy fellows diligent; and thoughtless sottish men careful and provident; if this can be done, they will soon find work enough, and there will be less poverty among us; if it cannot be done, setting the poor to work on woollen manufactures, and thereby encroaching on those who now work at them, will ruin our trade, and increase the number of poor.

A bill brought into parliament by Sir Humphry Mackworth, for employing the poor, which had passed the commons with great approbation, gave rise to this tract; by this bill it was intended, as Mr. Chalmers, in his *Life of Defoe*, tells us, to support work-houses in every parish, with parochial capitals, for carrying on parochial manufactures, but it was thrown out by the peers; to which it is probable this sensible pamphlet very much conducted; in which he pretends, that he *could* propose

propose a regulation of the poor, which would *put a stop to poverty, beggary, parish charges, assessments, and the like*; and promises to do so, when he has gone through the proof of his maxims; but waives the performance, for this very inadequate reason, because he will not presume to lead a body so august, so wise, and so capable, as the honourable assembly to whom the tract is dedicated.

There are in this tract many excellent observations, expressed with great dignity. That part which tends to prove that giving alms is no charity, lays down some sensible maxims, on which he rests the strength of his argument, which tends to prove that parochial work-houses should not be encouraged for the purpose of parochial manufactures. After having proved that there is more work in the kingdom than hands to perform it, he asserts that begging is a mere scandal; in the able, it is a scandal on their industry; in the impotent, upon their country; the poverty of England does not lie among craving beggars, but among poor families, where the children are numerous, and where death or sickness has deprived them of the labour of their father; an alms ill

confirmed at the quarter sessions; where a warrant also for the sale of the goods, &c. must be obtained before they can be disposed of, and to which sessions the officers are to be accountable for the money raised.

Two years after this it was the opinion of parliament, as declared in the preamble to an act for encouraging the woollen and silk manufactures, and more effectually employing the poor, "That it is most evident, the wearing of printed, painted, stained, and dyed calicoes, in apparel, household-stuff, furniture, and otherwise, does manifestly tend to the detriment of the woollen and silk manufactures of this kingdom, and to the excessive increase of the poor; and if not effectually prevented, may be the utter ruin and destruction of the said manufactures, and of many thousands of his Majesty's subjects, and their families, whose livelihoods do entirely depend thereupon;" it is therefore enacted, in the year 1720, that none shall wear any garment of printed callico, or any stuff made of cotton, or mixed therewith, which shall be painted, under the penalty of 5l. ; or use it in any household stuff or furniture, under the penalty of

201.

20l.; and that no tradesman shall make up such furniture, under the same penalty.

This act is not taken notice of, on account of any effect it has at present in the management of the poor; but as introductory of an observation, necessary to be attended to, by those who would wish our statute book to be a collection of efficient and practical regulations of police; and not as it in fact is, an immense collection of contradictory, heterogeneous ordinances, militating in many instances with each other, in many with the principles of sound policy, and in some with the actual habit and practice of all his majesty's subjects, of which this statute is a remarkable, but no uncommon instance.

No longer ago than the year 1720, this prohibition of calicoes and stuff, made of cotton, or mixed therewith, passed into a law; and in 1790, and many years before, every woman in the kingdom is cloathed in these very fabrics; most of our household furniture is made of them, this prohibition still remaining the law of the land.

The woollen manufactures of this kingdom certainly deserve greater encouragement than
either

either linen or cotton ; because wool, the staple commodity of England, is the produce of our own agriculture ; hemp, flax, and cotton, are at present generally the product of *foreign* agriculture ; and also because the fabric of the woollen manufacture is strong and warm, suited therefore to the use of the bulk of the people : that of cotton and linen, weak and thin, improper for labour and a northern climate ; woollen cloathing does not require so much washing, as our printed linens and white stockings ; an article of great expence in poor families ; but *the revenue* is thought to be a sufficient reason for these paradoxical absurdities ; and, that the public treasury may abound, drunkenness, gaming, luxury, and ostentatious cloathing are encouraged, in open defiance of the laws of the land. Those magistrates would be very coolly thanked for a conscientious discharge of their duty who, to promote sobriety, should lessen the number of ale-houses ; to discourage gaming, should authorize the parish officers to refuse relief to those who singly, or in clubs, buy lottery chances ; or to promote the manufacture of wool, should encourage

encourage informations upon the act of parliament just alluded to; the prevailing maxim of all financiers is *rem facias*, the means are but a secondary object of their attention.

In the ninth year of this reign, the poor laws again were an object of parliamentary attention; and an act for amending the laws relating to their settlements, employments, and relief passed; which enacted, that no poor should be relieved, until an oath be made before *one justice* of a reasonable cause, and that the person hath applied to a vestry, or to two of the overseers, and been refused relief; a summons is also directed to the overseers to shew cause, why such relief should not be granted, before it is ordered; and when ordered, the person's name is to be entered in a book to be kept for that purpose, as one who is to receive relief as long as the cause continues, and no longer; and no officer of any parish shall bring to account (except on sudden and emergent occasions), any money he shall have given to any poor person, who is not registered in such book, under the penalty of five pounds.

It

It has been suggested that one cause of the bad execution of the poor laws, is the constant superintending authority that the legislature has delegated to justices of the peace; men eminent for their wisdom and respectable for their opinions have attributed much of the mischief experienced from this code of laws to the conduct of those who are the supervisors of their execution; nor is the complaint new; the great Sir Francis Bacon, it may be remembered, in the very infancy of the code threw out an idea to this effect, when he made the distinction between what *was* done by the distracted government of justices of the peace, and what *might* be done by a settled ordinance; yet whatever of ill may have accrued in general from the superintending authority of magistrates, it has rather arisen from the not using their powers, than from either the abuse, or misuse of them; in this particular instance which respects the pecuniary assistance the poor are entitled to receive from the overseers; the interference of a magistrate appears peculiarly proper, when called to action by the complaint of the poor themselves; because the nearest magistrate has it in his power to inform

form himself of the real circumstances of the case, and from his situation in life is a proper check to any partiality, or improper, although natural bias, the overseer who lives more immediately in the midst of the poor, and being frequently connected with them by the different degrees of relationship, and generally as their immediate employer, may be influenced by ; which motives operate to a greater degree in the distribution of assistance to the poor, than at first sight might be imagined, and which gave rise to objections of the most serious nature to Mr. Gilbert's Bill, and would have caused an opposition of the most obstinate kind, from the yeomanry of this kingdom, had that bill passed into a law ; which struck at the root of this power, to give away the money taken in a great measure immediately from the pockets of this large and valuable class of our countrymen.

Besides, it will be found on enquiry, that the money distributed in the weekly list forms no very material proportion of the expences of a parish ; and in the distribution of money there is no room for lucrative jobs, no knavish contracts for furnishing the various articles of consumption ;

consumption ; and the overseer keeping a fair account can have no profit ; and possibly as money is the common representative of all necessities of life, so it is the greatest, most convenient, and best appropriated relief to the individual. It somewhat, in its universality of use, resembles Boniface's ale—"A poor man and his family may eat it, drink it, and sleep upon it."

Churchwardens and overseers, with the consent of the major part of the parishioners in vestry assembled, are also, by this act, empowered to purchase, or hire, houses to lodge and employ the poor in ; and there to keep, maintain, and employ them ; and such poor as refuse to be lodged, maintained, and employed there, shall not be entitled to relief ; parishes are also empowered to join in such purchase, and the officers of one parish may, for that purpose, contract with those of another ; but the *settlement* of the poor is not to be affected by their removal to another parish, in consequence of this act.

The acquisition of settlement by purchase is regulated by another section of the act ; which directs, that the purchase money must not be less

less than thirty pounds, *bona fide*, paid for the estate, by which a person shall gain a settlement; and that no person paying to the scavengers or highway rates shall, on that account, be deemed to gain a settlement; the other sections regulate the notices necessary on appeals, and the relief the appellant shall receive on undue removals.

I have not been able to obtain any tract on the subject written during this reign; nor have I seen any referred to, or quoted by those which have been since written; the conclusion which follows is, that none of sufficient merit, to escape oblivion, were published; and indeed the little that was done by the legislature, is a proof that the subject did not much attract the attention of the nation; the venerable fabric received a little addition and repairs only; but no material alteration was made.

L E T T E R XVIII.

IT is with great satisfaction, that the opinion of Mr. Locke on this subject, alluded to a few pages back, has been perused; by which it appears, that about the year 1696, the clamour with regard to the poor, and the burthen of the poor's rate, having attracted the notice of the Commons, they referred it to the board of trade to consider the fact, and to report the remedy; on which occasion Mr. Locke, who was one of the commissioners, delivers the following opinion in the report made by the board *:—"The multiplicity of the poor, and the increase of the tax for their maintenance, is so general an observation and complaint, that it cannot be doubted of; nor has it been only since the last war that this evil has come upon us, it has been a growing burthen on the kingdom these many years, and the two last reigns felt the

* *Mr. Chalmer's Estimate, &c.*

increase

increase of it as well as the present. If the causes of this evil be looked into, we humbly conceive it will be found to have proceeded, *not from the scarcity of provisions* *, *nor want of employment for the poor*; since the goodness of God has blessed these times with plenty no less than the former, and a long peace during three reigns gave us as plentiful a trade as ever. The growth of the poor must therefore have some other cause; and it can be nothing else but *the relaxation of discipline and corruption*; *virtue and industry* being as constant companions on the one side, as *vice and idleness* are on the other. On this first principle, thus clearly expressed by Mr. Locke, whose strong intellectual faculties were employed in the exact situation, to obtain ample intelligence, on the subject he has thrown such a blaze of light over, one must rest with confidence; in fact this truth has often discovered itself to us, in faint glimmerings, during the investigation of this subject; and the reader may have perceived how often this sentiment has obtruded itself on the pen; that it

* By the Windsor table the prices of wheat in the years 1696, 1697, 1698, was 3l. 3s. 1d.—2l. 13s. 4d.—3l. 9s.

meets with such honourable confirmation from Mr. Locke's authority, near a hundred years ago, stamps a signal mark of propriety on the ideas which have been hitherto suggested; and firmly establishes the following assertion, that unless vice and idleness among our poor are *decreased* since this opinion was given, the multiplicity of the poor, and the still increasing burthen of tax for their maintenance, arises at the end of the eighteenth century, not from scarcity of provisions, and want of employment for the poor, but from relaxation of discipline and corruption of morals.

As it is possible that the remedy for the disease may be discovered by pursuing the enquiry, with equal clearness as the cause has been pointed out; we shall proceed in the same manner to relate what the legislature has done, and individuals have written on the subject to the close of the last parliament.

The law with respect to natural children remained on the footing the acts of the 18th of Elizabeth and the 7th of James the First had left the subject; until the sixth year of the reign of George the Second, when, it having been found by long experience, that
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the security of parishes was not sufficiently provided for; the legislature, by a statute then passed, in the 31st chapter, enacted, that the person charged on oath of being the father of a bastard child, by any single woman who shall be delivered, or shall declare herself to be pregnant, and that the child is likely to become chargeable to the parish, shall be immediately apprehended and committed to prison, unless he gives security to indemnify the parish; but that he shall be discharged on the miscarriage of the woman, or if no order be made in pursuance of the 18th of Elizabeth within six weeks after the woman's delivery; and that no woman shall *involuntarily* be obliged to filiate the child of which she is pregnant before delivery.

It seems also to have been a doubt, whether justices of the peace could legally act in any case relating to parishes where such justices have property; from this some inconvenience arose in the administration of the common business of a magistrate; the 18th chapter of the 16th statute of this reign, therefore, clears up the subject, and empowers them to enforce the laws, with respect to the maintenance, re-

lief, and settlement of poor persons ; those also with respect to passing vagrants, repairs of highways, and any other laws concerning parochial taxes or rates ; notwithstanding they themselves may be chargeable to such rates.

The following year produces an instance of the attention the legislature paid to the conduct of the overseers of the poor ; who, according to the preamble of the act of the 17th Geo. II. cap, 3. “ on frivolous pretences and private ends, frequently make unjust and illegal rates, in a secret and clandestine manner ;” and the preamble to the 38th chapter of the the same statute states, “ that the money raised for the relief of the poor is liable to be misapplied, after it is with great difficulty and delay raised ;” to obviate these inconveniences, the first act directs that public notice shall be given in the church of every rate, for the relief of the poor, the next Sunday after the same shall be allowed by the justices ; and that the overseers shall permit such rates to be inspected at all seasonable times, on payment of 1s. for the same, and copies shall, on demand, be given, allowing 6d. for every 24 names ; the rate to be void if no such notice
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be given, and a penalty of 20s. on refusal of such inspection, or copy ; and the 38th chapter directs “ that the churchwardens and overseers of the poor shall yearly, within fourteen days after other overseers shall be appointed, deliver a just, true, and perfect account, in writing, fairly entered in a book to be kept for that purpose, and signed by the said churchwardens and overseers, of all the sums of money received, or rated and not received ; and also of all goods, chattels, stock, and materials that shall be in their hands, or in the hands of the poor, in order to be wrought ; and of all monies paid by such churchwardens and overseers, and of all other things concerning the said office ; and shall pay and deliver over all sums of money, goods and chattels, and other things, as shall be in their hands, unto the succeeding overseers ; and that this account shall be verified on oath before one, or more magistrates, who shall also sign the said account, without fee ; and this book shall be carefully preserved, and all persons liable to be assessed, shall be permitted to inspect it, on payment of 6d. and copies shall be given also on demand, on payment of 6d, for every 300

words; in case of the death of an overseer, two justices are to choose another; if an overseer remove from the parish, his account, testified as above, shall be delivered to the remaining overseer, or churchwarden; and the representatives of an overseer shall account within forty days after his decease. Appeals to any rates or assessments, reasonable notice being given, lie to the next general or quarter sessions of the peace; where, if the whole rate be appealed to, the justices may quash it, and order the churchwardens and overseers to make a new one; but where just cause is seen, to give relief only, by altering the rate, the justices are empowered to amend the rate, in such manner as shall be necessary to such relief only.

As great care is taken by this act, that the rates shall be fair and equal, and that the parish officers shall discharge their respective offices honestly; so does it provide against any vexatious actions being brought against them, by declaring that no want of form, either in the appointment of overseers, the rate or assessment, or in the distress, shall render them unlawful; nor shall the parties distrain-

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ing be accounted trespassers, *ab initio*, on account of any irregularity in their proceedings, but the parties aggrieved shall recover for the special damage sustained by such irregularity.

Succeeding overseers are also enabled to levy any arrears due to former overseers, and in case of persons removing out of parishes, and others coming in, they shall pay their rates in proportion to the time they have respectively occupied; the proportion to be ascertained by two or more magistrates, and recovered by distress.

Copies of the assessments are also directed to be entered in a book, to be kept for public perusal, the entry to be made within fourteen days after the appeal is determined; and all the regulations in the act are enforced by a penalty not exceeding 5*l.* and the power of overseers, in places where there are no churchwardens, is declared to be the same, as where they are both churchwardens and overseers; and they are subjected to the same penalties.

The section of this act, which directs the overseers account to be verified on oath before a magistrate, seems not sufficiently to have explained

explained whether the magistrate is to examine the accounts, article by article ; or whether the overseer is to swear to the whole account only, by the lump, and is not obliged to go through an examination, with respect to the articles of his account, on an oath *voir dire* ; if this is the case, the magistrate acts officially only, and the oath is but of little service, as an appeal lies to the quarter sessions.

The 11th chapter of the 31st statute of this reign makes some regulations in the settlement of apprentices, and enacts, that a person bound apprentice, by any deed, writing, or contract, duly stamped, shall be entitled to a settlement where he is so bound and has served ; the other section of the act relates to the power given to justices, in settling disputes between master and servants, and consequently comes not under the scope of our present disquisition.

The last act of parliament in this reign, which respects the poor, is statute 32, chapter 22, which provides for the maintenance of the wives and families of militia men, when in actual service, by directing that the overseers shall pay from the poor's rate, by order of one
justice

justice of the peace, a weekly allowance to the distressed families of militia men, embodied, and called out unto actual service, according to the usual price of labour in husbandry within the county, or district, by the following rule: for one child, under ten years, one day's labour; for two under the same age, two days labour; for three children, three days labour; for five or more, four days labour; and for the wife, one day's labour; but that the families of those only chosen by *lot*, and not *substitutes*, shall be entitled to this allowance; for which payment the overseers are to be reimbursed out of the county stock.

To pass over the statute-book of this reign, without mentioning the vagrant act, the 17th Geo. II. cap. 5, would appear an instance of inattention to the general design of these papers; although much the greatest part of it affords no insight to the subject, because it in general respects the treatment of those, who have *forfeited the protection of society*, and are to be considered as its *outcasts*; but if, through the fault of an improper system of legislation, or through the mal-administration of the laws, which are in force respecting the poor, the
number

number of those, who come under the description of vagrants is increased; the laws themselves, or the execution of them, have thrown out of the protection of society a number of people who are not vagrants from their own fault; and so far the laws themselves are accountable for the mischief which they have occasioned; while the punishment, severe to excess, falls on unoffending individuals; in enumerating the particular offences, which occasion persons to be classed under the description of *idle* and *disorderly* persons, whom one justice may commit to the house of correction to hard labour for a month; are those who *threaten* to run away, and leave their wives and children to the parish; this is a *curious* offence, certainly not a *heinous* one, for it may consist in words only, unaccompanied with acts or intentions; but for this they may be committed; and, if they resist the commitment, or escape, are instantly to be classed among rogues and vagabonds.

All persons who return to the parish from whence they have been removed, without a certificate, stand in the same predicament; the law of settlements, therefore,
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tends to increase the number of rogues and vagabonds.

All persons who have not wherewithal to live idle without employment, and refuse to work at the common usual wages given to other labourers in the like work, in the parish wherein they then live, are also liable to the same punishments, and to become vagrants.

An industrious handicraftsman, who has maintained his wife and family creditably and honestly by his industry, if removed from the town where his craft is carried on, to his place of settlement, a village, where there is no employment but in husbandry, must of necessity fall under this description; because not being able, from different habits to those of a labourer, to do a fair day's work, he will not easily find employment; a man does not give up a portion of his natural liberty, and his only property, his ability to earn his bread, for this kind of protection from the social compact; this also arises in a great measure from the law of settlements.

All persons who run away, and leave their wives and families, whereby they become chargeable to any parish, are, *ipso facto*, to be

be deemed rogues and vagabonds ; whose punishment is immediate commitment until the quarter sessions ; then they are liable to be committed to hard labour for a time not exceeding six months, and during their confinement to be corrected by whipping.

In this instance also the crime against society may not be sufficiently serious to deserve so severe a punishment ; until a poor person, his wife or family has become chargeable to a parish, the restraining him from leaving his home, by the fear of so rigorous a sentence, does not arise absolutely from necessity, and therefore the restraint is not justifiable on principles of common justice ; the *possible* event, which may come to pass from his leaving them, should not therefore, in the first instance, class him among rogues and vagabonds ; he should not be deemed an outcast of society by anticipation of evil ; he should have first been a *pensioner* on the public fund of charity, before he should by so severe a law, be restrained of his liberty ; this description of the crime, therefore, is too comprehensive, and occasions many innocent subjects to be classed with, and be subjected to the punishment

nishment appropriated to rogues and vagabonds.

With but a superficial knowledge of the subject, were these strictures on the situation of our poor undertaken; the purpose was, to investigate, and point out, the cause of that vast expence, which every rank of society with reason complains of, in maintaining this numerous class of our fellow-subjects, and to explain the true foundation of that very wretched situation in which we see too many of them; in fact, to account for this striking paradox, that while millions sterling are expended in their relief, millions of the poor still stand in need of more relief than they receive; a distant gleam of hope occurred also to the mind, that by investigating the cause of the evil, possibly the remedy might also be discovered; the method chosen, was that of fixing a foundation, in the first principles of society, and proceeding by an historical analysis; this has laid me open to some apparent contradictions and mistakes; these letters being sent to the press, as fresh information gave fresh matter, and enabled the writer to proceed in developing the history of the poor, the laws respecting

specting them, and the opinions of those who have turned their attention to the subject; which mistakes might have been avoided by a different mode of proceeding; but then the communication could not have been prepared for that very useful periodical magazine of agricultural intelligence in which it first appeared; besides probably by this means of treating the subject, dogmatic principles, or preconceived opinions, are avoided; they at least have less time to establish themselves; the mind which confesses itself to be employed in obtaining information, is not likely to deal in dogmas; and when the professed purpose is to digest annals, as a means of arriving at a truth; it would be an aberration indeed, to attempt the establishment of a system.

L E T T E R

L E T T E R X I X .

UNTIL the establishment of literary reviews, the writer of the fugitive piece of the day possessed but little chance of posthumous reputation ; his fame resembled the life of the Ephemeron in duration, as did the production of his ingenuity, that insect by insignificance, both soon perished, and were alike forgotten ; unless extraordinary merit, or chance preserved the one, in the libraries of the learned ; and scarcity, or beauty, the other, in the collections of the naturalist.

But few treatises on this subject, written in the early part of the late reign, are now to be found in the shops of the booksellers. Mr. Hay *, a member of the House of Commons, published, in 1735, some remarks on the laws relating to the poor, with proposals

* Of Glynd, in Sussex, author of an agreeable Essay on Deformity.

for their better relief and employment; these proposals were reduced into the form of an act, and brought into the house the same year the pamphlet appeared; but did not pass into a law; among other remarks may be found in his publication the following judicious observations.

“ It is certain that the obligation on each parish to maintain its own poor, and the consequence of that, a distinct interest, are the roots from which every evil relating to the poor hath sprung, and which ever must grow up until they are eradicated. Every parish is in a state of expensive war with all the rest of the nation, regards the poor of all other places as aliens, and cares not what becomes of them; if it can but banish them from its own society. No good, therefore, is ever to be expected till parochial interest is destroyed, till the poor are taken out of the hands of the overseers, and put under the management of persons wiser and more disinterested; and until they be set to work on a *national*, or at least a *provincial* fund, to arise from benefactions, and the labour of the poor, as far as they will go; and
what

what more is wanting to be levied by an equal tax."

On this principle, he proposes that every person be deemed legally settled in the parish where he has continued a year, without being chargeable; and if he has gained no such settlement, then at the place of his birth; and if not born in the kingdom, then where he should want relief.

The heads of the bill, which was rejected, proceeded principally on this idea, and consisted chiefly of a plan for a county, or district work-house, if the county should be too large; to be maintained by an equal rate throughout the county, to be governed by twelve persons residing in each district, possessed of a certain estate in land, to be drawn by lot at the quarter sessions, and incorporated by the name of the guardians of the poor within the district; six of them annually to go out, and six new ones to be chosen in the same manner; benefactors to be guardians for the time being, in proportion to the sum given. They should be enabled to purchase lands, in fee, near the middle of the county, or district, thereon to erect buildings for the use of the poor; to

execute a new or a well known law, or to revive one which is obsolete. In the case of a known law, custom brings men to submission; and in all new provisions, the ill-will, if any, is levelled at the legislature, who are much more able to support it than a few magistrates." He then expatiates on the terrible consequences arising from drunkenness, acquired by drinking the strongest intoxicating liquors, and particularly gin; and in a fine spirit of prophecy foretels the fatal consequences flowing to posterity from this pernicious practice. Doth not this polluted source, instead of producing servants for the husbandman and artificer, instead of providing recruits for the sea or the field, promise only to fill alms-houses and hospitals, and to infect the streets with stench and diseases?"

The third section is on gaming, but as this vice has not, at present, been so directly the cause of the increase of the poor's rates, as it has of thefts and robberies, and is not, except in the shape of an annual lottery, so likely to tempt the inhabitants of the country as of crowded cities; our author's observations on this vice need not be recapitulated.

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The fourth section contains a review of the laws relating to the poor ; and, having before run over the consequences of luxury among the lower classes of people, in the instances of diversions, drunkenness, and gaming, as tending to promote their distresses, he considers the improper regulation of the poor as a second cause of thefts and robberies ; this, he thinks, proceeds from three sources—the abuse of some laws—the total neglect of others—and somewhat from a defect in the laws themselves. He adds, that it must be matter of astonishment to any man to reflect, that in a country where the poor are, beyond all comparison, more liberally provided for than in any other part of the world, there should be found more beggars, more miserable distressed objects, than are to be seen throughout all the states of Europe.

The other sections in this tract relating only to the subject immediately under his consideration, and not affecting our present inquiry, no farther extracts shall be given of the publication.

We now proceed to a name known to all the civilized world, and the particular boast of

this island; not as a legislator, not as a magistrate, but as a poet, and a pleasant moralist.

A pamphlet, entitled, "A compendious or briefe Examination of certaine ordinary Complaints of diverse of our Countrymen in these our dayes, by William Shakespeare, Gentleman," imprinted in 1581, was reprinted in 1751 in London.

The Monthly Review, a valuable collection of criticism on, and repository of, most that is worth notice in the literary productions of the last forty years, preserved the republication of this pamphlet to my notice, which certainly, with respect to the remote date of its original publication, should have stood foremost in the list of tracts on the poor; it being written anterior to the great corner-stone of the poor laws, the 43d of Elizabeth, and to the principle of which it might have afforded a valuable hint.

Although in 1751, when this tract was reprinted, the fame of Shakespeare had not risen to that stupendous height in the opinion of mankind it now possesses; nor had the anecdotes of his life, and criticism on his beauties
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and defects, swelled to such a bulk as they have since arrived at, through the ingenious comments of Johnson, Farmer, Stephens, Malone, and others; yet one should have imagined that enough had been known of the poet, from Rowe's life of him, to have precluded a possibility of mistaking William Shakespeare, the author of this tract, for our renowned poet: this pamphlet being printed in 1581, when, by the parish register of Stratford, Shakespeare was not above seventeen years of age, and more probably engaged in the truant pleasures of youth, than in writing a serious dialogue between a doctor of divinity, a merchant, a husbandman, and a capper*; in the handling of which, the reviewers say, the author discovers a much greater knowledge of trade and commerce than people would be apt to expect from a poet. The depth of observation and knowledge of mankind, as well as of trade and commerce, which was possessed by the writer of this tract, whoever he may have been, may be conceived from the following quotation from it, which

* Capper, one who makes and sells caps. JOHNSON.

appears

appears to strike deeper at the principle of the poor laws, as far as it respects *compulsive* industry, than any other argument which has fallen under my recollection.

“ It is an old saying in Latin, *bonos alit artes*, that is to say, profit or advancement nourisheth every faculty ; which saying is so true, that it is allowed by the common judgment of all men. We must understand also, that all things that should be done in a commonwealth, be not to be constrained by the straight penalties of the law ; but some so, and some either by allurements, and rewardes rather. For what law can compel men to be industrious in travayle, or labour of body ; or studious to learne any science or knowledge of the minde : to these things they may well be provoked, encouraged, and allured, if they that be industrious and painful be rewarded well for their paines, and be suffered to take gaynes and wealth as rewardes of their labours, and so likewise they that be learned be advanced and honoured according to their forwardness in learning, every body will then study to be industrious in bodily labour, or studious in things that pertain to knowledge.

knowledge. Take these rewardes away from them, and go about to compel them by laws thereto, what man will plough or dig the ground, or exercise any manual arte, wherein is any paine?"

As every act of parliament, respecting the poor, proceeds on a principle of compulsion *only*, and is not intermixed with rewards or encouragement incitive to industry, the present system of laws militates with this humane and sensible observation of Mr. William Shakespeare; and it may be the price of our labour, in a future part of this inquiry, to consider whether the principle of the poor laws would not be meliorated by intermixing allurements to industry with compulsion; but as the chief scope in this pamphlet was to recommend the manufacturing our own wearing apparel, instead of going to a foreign market, for our own materials worked up by foreigners; a question which seems to have excited the attention of the sensible part of the nation, a few years after the duke d'Alva's severities had driven manufactures and commerce from the Spanish Netherlands into this island; the tract itself

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contains little more on our subject worth transcribing.

Towards the end of 1751, an anonymous publication made its appearance ; entitled, " Considerations on several Proposals for the better Maintenance of the Poor ;" the author's design is, to prove that the present system is sufficient, if properly executed ; and with great reason is he averse to leaving the poor to be maintained by voluntary contribution, or accidental charity only ; because they, having now for near two hundred years, been maintained by a regular system of laws, enforcing contribution, thousands would perish, trade would greatly suffer, and much confusion would arise from such a total change of system ; he thinks, that the division into parishes is sufficiently large ; because a multitude can be best governed by a division into subordinate parts ; and conceives, that the internal police was better regulated when the counties were divided into hundreds, these hundreds into decennaries, and each man of the decenary was answerable for the rest ; he proposes a more strict inspection into the conduct of
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the poor, and of ale-houses, by the constables of the district, who should make regular weekly returns to the high constables, and these to make monthly returns to the justices at their petty sessions; on the whole, there appears to be much good sense, knowledge of, and attention to, the principles of the constitution in this tract,

L E T T E R XX.

EARLY in the year 1752, Thomas Alcock, A. M. gives his opinion on the subject, and professes himself highly dissatisfied with the manner of providing for the poor; he dislikes *compulsive relief*, and thinks it hath a tendency to hurt industry, care, and frugality; the sluggard, on the presumption that he hath a right to relief, is tempted to continue in sloth; and the glutton as he receives his gains eats them, and the drunkard drinks them; in short, men labour less, and spend more; and the very law that provides for the poor, increases the number of the poor: com-
pulsion

pulsion to relieve, he says, is contrary to the principle of charity, and destroys gratitude in the receivers, creates ill blood, murmuring, and indignation on the side of the contributor: "it must be allowed, therefore, that the poor law tends to destroy charity, especially when the legal exaction is so very high, that no less a sum than *three millions yearly*, at a medium, is levied for this purpose, which is equal to a land-tax at six shillings in the pound; add to this, that the shameless, the impudent, the idle, and least deserving, run away with this vast sum; while the modest, the bashful, and really indigent, are suffered to languish in the most distressful circumstances imaginable."

It is impossible in this place to avoid observing upon the fact stated, that *three millions were raised by legal exaction yearly, about the year 1751*, for the poor; or, in other words, that the poor's rate at that time amounted to three millions yearly; the fact appears to be questionable; but as the account of the poor's rates, returned by the different parishes throughout the kingdom, does not go back to this period; and no other proof to the contrary can be at present advanced, Mr,
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Alcock must be allowed credit for the assertion, that three millions were raised by the poor's rate annually about the year 1751; because the nature of his argument, as well as the pointed expression, *legal exaction*, preclude the idea of his mixing the numerous charitable funds and contributions throughout the kingdom, to swell the produce to that enormous sum.

Now the Windfor table of the prices of wheat, which has been once before referred to, states the price in 1750, at 1l. 8s. 10d. a quarter; and in 1751, at 1l. 14s. 2d.; in 1785, at 1l. 16s. 11d.; but, by the overseers' returns to the House of Commons, the poor's rate in 1785 amounted only to 2,184,904l.; the expences of the poor were, therefore, less in that year than in 1750, above 800,000l. and wheat 8s. a quarter more, another proof that the price of bread increasing has not been the cause of an increase in the poor's rate*.

* In 1680 a regular estimate was made of the poor's rate, and it amounted to 665,362l. and in 1772 it amounted to 3,000,000l.; in 1680 wheat was 2l. a quarter; in 1772 it was 2l. 15s. 1d. here the price of wheat is increased little more than one third, and the rates more than quadrupled. ANNUAL REGISTER, 1773:

It would extend this enquiry to a tedious length, if every scheme which has been offered in print, on the maintenance and employment of the poor, were to be detailed; Mr. Alcock, whose language is rather declamatory than argumentative, likewise offers his plan; the intent of which is, to relieve the indigent, without oppressing the public in such an intolerable manner; he is not for *repealing* the poor laws, but only for *amending* them; and, among other matters, proposes a plan of hundred work-houses, to consist of three parts, one for the impotent, the able, and the industrious poor; the second for the sick; and the third for the vagrant and idle poor; to be built and furnished at the expence of the several parishes, in proportion to what they paid at a medium for maintaining the poor, the last four years. The overseers of the parishes to be governors thereof annually by rotation, and all persons that beg, or ask relief, to be sent to this house, and immediately admitted, on an order signed by the overseers of the respective parishes; and no money but what passed through this house, to be charged to the parish by the overseers.

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The subject seems now to have attracted the attention of some enlightened minds among the higher orders in the state; the Earl of Hillsborough and Sir Richard Lloyd drew up two separate plans into the form of an act of parliament, but neither of them passed into a law.

The Earl, by his plan, printed in 1753, proposes to repeal all the poor laws, and to destroy every idea of settlements and removals; and to re-enact, with some alterations, the clauses appointing overseers, the mode of levying a rate, the laws respecting bastard children, binding apprentices, rendering parents and children mutually liable to maintain each other; and proposes, that in every county there shall be one corporation, consisting of such persons who shall subscribe and pay annually not less than 5*l.* towards the relief of the poor of the county, who shall be called governors of the poor, and who may purchase lands, make bye-laws, appoint officers, &c. with salaries.

That one or two hospitals be erected in every county; in these hospitals to be three distinct apartments, for the children, the aged, the diseased; the charges of the building, fur-

niture, and materials to be paid out of the contributions, and out of such money as may be granted for that purpose by parliament, and out of an assessment for two years, of 3d. in the pound annually, and an assessment of 6d. in the pound for maintaining the poor admitted into these hospitals; the profits of any work done in them also to be added to the revenue of the hospital.

Many good rules are also given by the Earl for the internal regulation of these hospitals, but of too minute a nature to render a transcription of them necessary.

Sir Richard Lloyd's plan, principally consists of a house of industry for the education of the children of the poor*; it is astonishing that nearly forty years should have elapsed since a name of some eminence has recommended such an institution, and except part of Lincolnshire, no other considerable division of the island has carried the idea into execution, al-

* The Memoir of the Board of Trade drawn up by Mr. Lock, had not at this time fallen into my hands; and when this was written, it was not generally known that the Memoir existed entire; only detached parts of it had been quoted; the last edition, of an Account of the Society for promoting Industry in the County of Lincoln, has by the permission of John Pownall, Esq; been the means of making the whole of this important paper public-

though

though many individuals have shewn that the plan is feasible; and experience has now seconded the strongest convictions of its excellence, which human reason alone was able to give. Sunday-schools, which should be as it were, the apex of the structure, the last finish of the plan, will, it is to be hoped, now be made use of as the ground-work; and while charity, uniting with religion, influences us to take care of the religious sentiment of the rising generation of the poor, by instructing them in learning, and the duties they owe to God and man on a *Sunday*; let the good principle the patrons of these institutions are actuated by, influence them to attend to the industrious habits of their young pupils, through the other days of the week.

This scheme of Sir Richard's recites, that whereas the education of the children of the poor cannot be so well affected, nor the poor be so comfortably, nor at so easy a price, maintained in small numbers and in distinct families, as in large and well-ordered houses set apart for that purpose, therefore the justices, in sessions, shall divide the county into as many districts as they shall think proper; and that they, and also other persons of consider-

able estate shall be chosen as jurors, are, and shall be guardians of the poor within each district; and persons contributing a certain sum shall be also guardians; they shall be a body corporate, shall make bye-laws, appoint officers and servants, and form themselves into committees; shall purchase land, on which to build a house of industry, and other convenient buildings, for lodging and employing the poor within the district; the expence to be defrayed by a lottery, by voluntary contributors, and by an assessment; the charges for the relief and employment of the poor afterwards, to be raised by an assessment on the several parishes, in proportion to the number of poor they send to the house.

No other alteration is proposed to be made in the poor laws, nor does this plan provide any compulsive means to oblige the poor to send their children to the house of industry; on the whole it appears a very crude and indigested scheme.

Mr. Fielding, in a pamphlet entitled, "A Proposal for making an effectual Provision for the Poor," printed in 1753, again offers his advice on the subject, and proposes a scheme, which seems, in Dr. Burn's opinion,

nion, as supplementary to the two last mentioned.

Speaking of the necessity of some regulations, he says, that "the poor are a very great burthen, and even a nuisance to the kingdom; that the laws for relieving their distresses, and restraining their vices, have not answered their purposes, and at present that they are very ill-provided for, and worse governed, are truths which every man will acknowledge; and that every man who hath any property must feel the weight of that tax, which is levied for the use of the poor; and every person, who hath any understanding, must see how absurdly it is applied. So very useless indeed is this heavy tax, and so wretched its disposition, that it is a question, whether the poor or the rich are actually more dissatisfied, or have indeed greater reason to be so; since the plunder of the one serves so little to the real advantage of the other. The *sufferings* of the poor are indeed less known than their *misdeeds*, and therefore we are less apt to pity them! They starve, and freeze, and rot among themselves; but they beg, and steal, and rob among their betters."

He then proposes a plan for the county of Middlesex, which, if successful, may be followed in other counties; but gives it, as his opinion, that no division, less than a whole county, will answer the intention. The heads of which are:

That there be a large building erected, consisting of three courts; the two outermost of the courts to be called the *county-house*, and the innermost to be called the *county-house of correction*, with a chapel, and offices.

That in these houses the men and women be kept entirely separate from each other.

That the county-house shall consist of lodgings for the officers; of lodging-rooms and of working-rooms for the labourers; of an infirmary, of a chapel, of several large store-rooms, with cellarage.

That the county-house of correction consist of lodging-rooms for the officers; of lodging-rooms and working-rooms for the prisoners; of an infirmary, of a *fasting-room*, of several cells or dungeons, of a large room, with iron grates, which shall be contiguous to, and look into the chapel.

That there shall be a house for the governor, one for the deputy-governor, one for the chap-

chaplain, one for the treasurer, and one for the receiver-general of the house; and that likewise there be built, on each side of the county-house, nine houses for providing the labourers and prisoners with the necessaries of life.

These, with many other less important regulations, are the whole of Mr. Fielding's plan, on which, and also on his ideas on the subject of the poor, the following observations shall be ventured:

That they are collected from an intimate knowledge of the wretchedness and villainy which prevail among the lowest class of our fellow-creatures, in the purlieus of an overgrown metropolis; that the picture which he draws of them is too overcharged, the outline too hard, and, it is to be hoped, it is rather a caricature of the sink of wretchedness in London, than a natural representation of country manners, even in those families where laziness and debauchery are in league with poverty, to render human misery complete. His plan is also of a piece with his picture; therefore we read of dungeons, cells, iron grates, and fasting-rooms; although he indeed apologizes for the last, on the experience of

their good effect in bridewells, and other houses of correction; but, besides all this, the expence attending building such large offices, together with houses for about half a dozen officers, and consequently salaries, that they may be able to live in their houses, is such an expence as would startle any county, although Middlesex should have set a successful example.

It does not appear that the legislature, in consequence of the reasoning and plans detailed in these ingenious tracts, made any alterations in the statute law of the kingdom; the arguments, as well as the plan, fell to the ground, not having made a sufficient impression on the mind of parliament, to occasion any of them to pass into a law, although seconded by the weight of no mean ability, and by the influence of men of considerable consequence; the vagrant act, and that which respects the regulation of the poor's rate, being the only acts on this head of internal police, which passed until towards the close of the reign of our late king; and the date of these acts is anterior to the pamphlets which have just been noticed.

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The multitude of instances, affecting to humanity and decency, which arose from the depravity and wretchedness of the numerous prostitutes who haunt the streets of the metropolis, occasioned about the year 1758, some gentlemen, of equal generosity as humanity, to enter into a subscription, which laid the foundation of the Magdalen-House; the subject becoming a fashionable topic of conversation, many arguments on the good which might be expected to arise from such an institution were held, and many plans were offered; among others, a plan for establishing charity-houses for exposed and deserted women and girls, and for penitent prostitutes; together with considerations relating to the poor and poor laws of England, were written in 1758, by J. Massée, who appears to have been, on other subjects as well as this, a well-meaning and enlightened projector. The principal part of this publication was occupied on these institutions, and consequently not in point with our inquiry; but he also threw out some sensible hints on the subject of the poor and the poor laws; of these it will be proper to take some notice,

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He asserts, that the great increase of unemployed poor is owing to parochial settlements, and that the increase of thieves, beggars, and prostitutes is immediately caused by want of employment, and in some measure by want of proper provision for distressed working people, when out of the parishes to which they belong; and partly to the severity of our poor laws, in affixing the same punishment to begging as to stealing.

He apprehends, that monopolizing farms, and the inclosure of common lands are among the causes of an increase of the poor.

He attempts also to prove, by authorities, that substantial people have decreased in number; and asserts, that our interior weakness, the precarious state of our trade, and the great increase of the poor; are primarily, or principally, caused by removing multitudes from our *natural and fixed basis land*, to the *artificial and fluctuating basis trade*.

A new system is also proposed by him, for relieving, employing, and ordering the poor, which he divides into ten propositions; of these only the first three shall be noticed, because these only are properly fundamental, and

and the rest in the nature of auxiliary regulations.

First, That the charge of maintaining the poor shall be equally borne by the wealthy and substantial inhabitants; that the same shall be assessed by the rents of houses and lands, and that each person's quota be determined by a pound rate on the full annual value or rent.

Second, That every poor person, wanting relief, shall be equally entitled thereto, in any city, town, parish, or extra-parochial place, without regarding where such person was born, or had lived.

Third, That a competent number of houses of maintenance and employ be established for the reception of all poor persons, within each county respectively.

With respect to these three propositions, the first leaves the principle of the poor's rate exactly as it is at present; the second is impracticable in the full extent intended; and the third lays a foundation for an immense expence in buildings.

In 1759, a short anonymous tract appeared, in which the writer gives it as his opinion, that the principles are false on which the
poor

poor laws are founded ; particularly this, that it is reasonable *every place* in the kingdom should maintain *its own poor* ; and asserts, that they ought to be relieved where they are in want of relief, and be employed where they are most useful ; and to effect this, that the fund to support them be *national*, not *parochial*. This writer offers his plan also, and proposes, that all charities, hospitals, work-houses, &c. be ingrafted into a general plan for the relief of the poor ; and the several members thereof, be united into a corporate body, to take the appellation Sir Josiah Child gave them, and be called fathers of the poor.

There also were published about this time, some well-intended tracts, which recommend decreasing the number, and regulating the conduct of ale-houses ; a very proper, nay a necessary step towards a well-ordered internal police : ale-houses are undoubtedly at present a principle origin of the evil complained of, but it surely might be possible to restrain their bad tendency, and make them in one respect a convenience to the laborious poor ; instead of putting it into the power of licensed ale-houses
to

to draw every sixpence from their pockets, and every good principle from their breasts; if, under the authority of the present subsisting laws, the magistrates would be more strict in restraining them from permitting *tippling*; and not license any ale-house where there was not kept a stock of beer constantly on sale, to those only who carry it home; of a strength equal to common table-beer, and at a price, which would allow of a moderate profit only; the authority of magistrates over the conduct of those they license to keep ale-houses, is great indeed; and every exertion of their authority to preserve sobriety and regularity among the lower classes of the people, who are the principal customers to these shops of drunkenness, is in the strict line of their duty: the leading principle in the Court of King's-Bench, which superintends the conduct of the magistracy of the kingdom, is favourable to such a strict discharge of office; and were they, in that discharge, rather to exceed than fall short of their legal authority, while the intention was right, that court would hold them blameless; it is only when interested views

poor laws are founded ; particularly this, that it is reasonable *every place* in the kingdom should maintain *its own poor* ; and asserts, that they ought to be relieved where they are in want of relief, and be employed where they are most useful ; and to effect this, that the fund to support them be *national*, not *parochial*. This writer offers his plan also, and proposes, that all charities, hospitals, work-houses, &c. be ingrafted into a general plan for the relief of the poor ; and the several members thereof, be united into a corporate body, to take the appellation Sir Josiah Child gave them, and be called fathers of the poor.

There also were published about this time, some well-intended tracts, which recommend decreasing the number, and regulating the conduct of ale-houses ; a very proper, nay a necessary step towards a well-ordered internal police : ale-houses are undoubtedly at present a principle origin of the evil complained of, but it surely might be possible to restrain their bad tendency, and make them in one respect a convenience to the laborious poor ; instead of putting it into the power of licensed ale-houses
to

to draw every sixpence from their pockets, and every good principle from their breasts; if, under the authority of the present subsisting laws, the magistrates would be more strict in restraining them from permitting *tippling*; and not license any ale-house where there was not kept a stock of beer constantly on sale, to those only who carry it home; of a strength equal to common table-beer, and at a price, which would allow of a moderate profit only; the authority of magistrates over the conduct of those they license to keep ale-houses, is great indeed; and every exertion of their authority to preserve sobriety and regularity among the lower classes of the people, who are the principal customers to these shops of drunkenness, is in the strict line of their duty: the leading principle in the Court of King's-Bench, which superintends the conduct of the magistracy of the kingdom, is favourable to such a strict discharge of office; and were they, in that discharge, rather to exceed than fall short of their legal authority, while the intention was right, that court would hold them blameless; it is only when interested views

views or selfish principles influence their conduct, that the Court of King's-Bench reprimands and punishes magistrates.

L E T T E R XXI.

WE are now arrived at an æra, when the arms of Great Britain were carrying its fame, and dominion, to the remotest parts of the globe; an æra, when this island, in prosperity, political consequence, and reputation, were, by many of its most sanguine patriots, conceived to have arisen to its acme; and when, by many also, whose opinions carried weight with them, it was believed to have stretched its credit almost to its destruction; and while it was rising in fame, to be sinking in fact under the immense load of its national debt: experience has now proved to us, that both these conceptions of our situation, formed at the commencement of the present reign, were

equally removed from truth ; our prosperity and political consequence, now that above thirty years of his present Majesty's reign has passed over, continue to increase ; and above a hundred million has also been added to the national debt.

This is a paradox, which politicians may attempt to explain ; it respects our subject no farther, than as the internal happiness of the mass of individuals, who form the population of the kingdom, may be interested : has *their* prosperity increased progressively with that of the state ? is a question of some importance ; if it has, our wars, our treaties, our taxes, the high political situation this kingdom now fills, have operated to general good ; they have increased the general stock of prosperity and happiness ; but if the reverse is fact ; if among the mass of our fellow-subjects, more idleness, more dissipation, worse principles, worse habits ; and their consequences, greater poverty and distress ; prevail among them ; what is all our boasted greatness, our high name for wealth, prosperity, and political consequence ; but a splendid pall, to conceal from view the hideous appearance of mortal wretchedness ?

That

parliament in the several hundreds thus incorporated, at their own request, by parliament, shall be attended to in another place, by a digest of the best information that can be obtained from the incorporated parishes; but at present a detail of what the legislature has done on the general subject shall be pursued.

In 1775, parliament repealed an act of Elizabeth, against erecting and maintaining cottages; which had restrained the building them, unless four acres of land was laid to each cottage; and had also restrained the owners from placing more families than one in any cottage, or receiving any inmates; because it appeared, as stated by the preamble to the act repealing, that it laid the industrious poor under great difficulties, and tended very much to lessen population.

The 16th of Geo. III. cap. 40. in its preamble, states, that the great and increasing expence of maintaining and providing for the poor, and their continual distresses notwithstanding, make it highly expedient for the legislature to take this great subject into their serious consideration. And that information

of

of the *state of the poor*, and the nature of those expences are necessary to be procured, to enable the two houses of parliament to judge of proper remedies to redress those grievances; and that such information cannot be effectually obtained, without the aid and authority of parliament.

Therefore it is enacted, that the overseers of the poor throughout that part of Great Britain, called England and Wales, shall make returns upon oath to certain questions specified in the act, relative to the state of the poor; and that the justices of peace, within their respective divisions, be authorized and requested to take such returns on oath, and to cause them to be transmitted to the clerk in parliament. Then follow the several clauses prescribing the means to effect this end, and also a schedule of the questions to which answers are to be returned.

There now seemed to be a serious intent in the legislature to investigate this important question; and a preamble better adapted to the purpose, and more expressive of the serious magnitude of the subject, the necessity of investigating it, and remedying the evils com-

plained of, could not have been prefixed to the enacting clauses; and these clauses, are in general well calculated to obtain the end required; but surely an omission appears in the schedule of questions annexed.

I. What was the amount of the assessments for the relief of the poor in the year ending at Easter 1776?

II. How much of those assessments was applied for the relief, or on account of the poor, and how much for the payment of county rates, or any other purposes, distinguishing also, the amount of what was paid for the rent of work-houses, or paid, or allowed for habitations for the poor; and if any poor reside in houses built at the expence of the parish, township, or place, state the total annual value of such houses?

III. What number of poor have received constant relief during that year, and what has been the expence thereof, as near as the same can be estimated?

IV. Is there a work-house in the parish? if so, what number of poor will it accommodate?

V. What

V. What was expended in litigations about settlements, removals, appeals, or other disputes concerning the poor within that year, distinguishing how much of such expences arose from disputes with parishes, townships, or places, not within the county, riding, division, precinct, soke, franchise, liberty, city, or county corporate, wherein such parish, township, or place lay?

The return made from the poor rates to parliament, stated to be from Easter 1775 to Easter 1776, in answer to the preceding questions, amounted, as appears in the Annual Register for 1777, to the following total result:

	<i>Money raised.</i>			<i>County rates.</i>		
	£.	s.	d.	£.	s.	d.
England,	1,679,585	0	0	—	131,387	18 11
Wales	40,731	14	7	—	6,268	11 9
	<hr/>			<hr/>		
	1,720,316	14	7	—	137,656	10 8

	<i>Expended on the Poor.</i>			<i>Rents.</i>			<i>Litigation.</i>		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
England,	1,523,163	12	7	—	78,176	4	—	33,935	18 0
Wales,	33,640	13	8	—	2,120	10	—	1,136	2 8
	<hr/>			<hr/>			<hr/>		
	1,556,804	6	3	—	80,296	14	—	35,072	0 8

- The continual distresses of the poor, are mentioned in the *preamble* to the act, as one of the strong inducements to the inquiry; and also, that information of the *state* of the poor is necessary to be procured; does any one of these questions in the schedule reach this point? does any of the questions ask, what are the prevailing distresses among the poor in your parish? do they arise from their own extravagance, or from the price of labour? are the necessaries of life risen in price? has the earnings of the poor risen proportionably? what is the state of their morals? are they greater drunkards, more lazy, than heretofore? is the number of ale-houses increased within the last fifty years? is the produce of excise in your parish more than formerly, and to what amount? These, or some similar questions, would have exposed the cause of the distresses of the poor, and their *real state*; which, if the overseers could not have answered, the residing clergyman's knowledge of the subject might have been called in aid, and the information, stated as necessary in the preamble, would have been obtained; but all this part of the investigation is forgot in the act itself, and the inquiry

quiry goes solely to the quantum of the rate, and the mode of expenditure.

And what great leading regulation followed from this important enquiry? What was the happy result from this great body of information obtained by all the force and energy of the constitutional legislature? Alas!

Parturiunt montes!

But nothing was brought forth; this mass of information, thus constitutionally obtained, has served for nothing but waste paper; and a necessary solemn enquiry, answered on oath, which cost the nation thousands of pounds, and the magistrates and overseers of the poor throughout the kingdom not a little trouble and attention, tended to no one good end whatever. Surely when these great physicians of the state had felt the pulse of the patient, and weighed with due solemnity every symptom of internal decay, they found themselves unequal to attempt the cure, and gave up the case as lost.

Two years after the return of the overseers had been received by the clerk in parliament; instead of any code of police, affecting this very important subject, we find a trivial, yet

very proper alteration in one of the sections of the 43d of Eliz. changing the period to which parish apprentices shall be bound by indenture to the age of twenty-one years, instead of twenty-four ; this is effected by 17 Geo. III. cap. 48.

Many applications from particular parishes, districts, and hundreds, still continued to be made to parliament, for acts to relieve, regulate, and maintain the poor, within their respective local situations ; and many acts accordingly passed, greatly to the emolument of the Speaker, and the officers of the House, and much, it is to be hoped, to the general good of the places applying ; amongst others, passed in the 17th of this reign, are two, incorporating the hundreds of Hartsmere, Hoxne, and Thredling—the hundred of Cosford (except the parish of Hadleigh), and also the parish of Polsted, in Suffolk. The fair conclusion to be drawn from these instances, is, that as the legislature felt the subject at large of too great a magnitude for their attention ; those districts, most pressed by the urgency of necessity, found themselves obliged, at their own
expence,

expence, to apply for leave to take care of themselves.

By stat. 29 Geo. III. cap. 46. it is directed that *all persons* to whom any children shall be appointed to be bound, in pursuance of any act for the relief of the poor in any particular district in England, *shall* be obliged to provide for them; but that no person shall be compellable to take a poor child apprentice, except he be an inhabitant and occupier of lands, &c. in the parish to which such child shall belong; and that bastards born in houses of industry shall belong to the mother's parish.

In the 22d year of this reign, a long act passed, intituled, "An act for the better relief and employment of the poor;" which, although not so expressed in the preamble, appears to be an aggregate of all the best regulations, which had been brought before parliament by the multitude of acts which had of late years passed for the incorporating parishes, particular districts, and hundreds, and maintaining and employing the poor therein.

The considerable length this act is extended to; comprehending in it, all the necessary directions for the proceeding of parishes, where

two thirds of the owners and occupiers of land agree to unite ; the mode of appointing the different necessary officers and their duties, the qualification of the voters at their meetings, the application of the poor's rate raised in the different parishes uniting, together with the multifarious directions respecting the internal police of an united house of industry, would render the most concise abridgement of this act too long for the attention of those who may run the eye over these cursory observations ; besides that, it would be of no real service ; as any parishes wishing to unite on the power and principles of the act, must have recourse to the act itself, which appears to have thus much use in it, that it renders the expence of obtaining an act of parliament unnecessary, provided the parties agreeing to unite are satisfied with this code of regulations, and can make them coincide well with their own views and intentions.

It is not in my power to assert positively, but it is believed, that very few parishes have taken the advantage this act has given, and have united for the purpose of relieving and employing

employing their poor, by virtue of the powers, and subject to the regulations of this statute.

What can have been the reason, that since the legislature has opened the means to an union of parishes without the expence of an act of parliament, for those *very purposes*, to obtain which many applications had been made to parliament, at an expence of some hundreds of pounds in the outset of the scheme, so very few instances should have appeared, of parishes uniting by virtue of the powers in this act?

If we suppose experience to have proved, that general good has arisen in those parishes which have been incorporated by different acts of parliament, this is a question which will not soon be resolved; because it is not easy to suggest a reason for those advantages to be refused when offered *gratis*, which have in a great many instances been obtained at a considerable expence; and in the *united* parishes in the county of Suffolk, the fact, that the poor rates have greatly decreased, is generally allowed. Why then is not the greatest part of the kingdom incorporated into convenient districts, for the purpose of relieving and maintaining

maintaining their poor by means of the powers and regulations of this act? Why have we *very* few, if *any*, instances of this act being enforced?

We cannot suppose that the clauses in the act militate in general with the regulations those parishes which wish to unite, would chuse to embrace, because they are a selection of the best general regulations from all the acts applied for by the parishes incorporated; but does it not arise from the want of a centre of union, a man of consequence and ability, whose influence could render the fluctuating consents of a number of interested people steady, and fix them to the plan they have in agitation, but cannot absolutely resolve on? The attorney who was applied to when a bill in parliament was to be passed, is this *kind of person*; he was interested in bringing the determination of the leading men in the different parishes to a point, and fixing them in their resolves; but now no one man takes any more interest in the matter than as an individual among equals; and most men understand and feel themselves inclined to support, in all its
purity,

purity, the maxim, *inter pares, equalis est potestas*.

In the 26th year of this reign, cap. 56. another act passed, to oblige the overseers of the poor to make a return on oath to certain questions relative to the state of the poor : the preamble to this act is the same ; and the act itself proceeded on much the same plan and principle as that which has been mentioned to have passed in the 16th of the king, except that a penalty of 50l. for making false returns is added, and also a clause subjecting persons taking false oaths to the pains and penalties of those convicted of wilful and corrupt perjury ; the questions asked are also somewhat different.

And in the same year, by cap. 58. an act passed for procuring, on oath, returns of all charitable donations for the benefit of poor persons, throughout that part of Great Britain called England and Wales ; the returns are to be made in writing, on oath, by the minister and churchwardens of each parish ; this act gives similar powers, and is armed with similar penalties as the other.

L E T T E R XXII.

THE following questions were referred, by the act of parliament which passed in the 26th year of the present reign, to the overseers of the poor, to which they were obliged to make returns upon oath.

Question I. What money was raised by assessments for the relief of the poor in the respective years, ending at Easter 1783, 1784, and 1785?

II. What number of poor received constant, and what number occasional relief, during each of the said years, as near as you can ascertain the same?

III. How much was paid out of the said money in each of the said years, for expences of overseers in journies, and attendance on magistrates and others; and how much for entertainments

ertainments at meetings of the inhabitants on affairs relative to the poor?

IV. What payments were made out of the said money for law business, and for orders, examinations, certificates, and other proceedings respecting the poor in each of the said three years?

V. How much of the money collected under these assessments, was applied for the payment of county rates, or any other, and what purposes that did not concern the poor?

VI. How much of the money so raised, has been expended in providing materials and utensils for setting the poor to work?

The returns made by the overseers to these questions, in pursuance of the act alluded to, were digested into form, and an abstract printed, containing every parish in England and Wales, reduced alphabetically under their respective counties and hundreds, giving an account, under fourteen distinct columns, of the name of the hundred within which the parish is situated; the money raised by assessment for the years 1783, 1784, and 1785, and the medium of those three years; expences not ap-

plicable to the poor ; the medium of net money annually paid for the poor ; net money paid for the poor in 1776, taken from the returns then made to parliament ; and heads of particular expences ; the general totals of which, for England and Wales, are as follow :

Money raised by Assessment.

		£.	s.	d.
For the year 1783.—	England,	-	2,068,585	7 1
	Wales,	-	63,901	5 1
			<hr/>	
			2,132,486	12 2
			<hr/>	
For the year 1784.—	England,	-	2,117,432	11 0
	Wales,	-	68,456	16 8
			<hr/>	
			2,185,889	7 8
			<hr/>	
For the year 1785.—	England,	-	2,115,775	2 5
	Wales,	-	69,129	16 6
			<hr/>	
			2,184,904	18 11
			<hr/>	
Medium of those years.—	England,		2,100,587	16 11
	Wales,		67,161	16 9
			<hr/>	
			2,167,749	13 8
			<hr/>	

Expences

Expences not applicable to the Poor.

		£.	s.	d.
Medium of money applied for county pur- poses, vagrants, militia, bridges, gaols, &c.				
	England, -	113,714	15	6
	Wales, -	5,565	11	4
		<u>119,280</u>	<u>6</u>	<u>10</u>

Medium of expences not concerning the poor, repairing churches, roads, salaries to ministers, &c.				
	England,	43,223	5	7
	Wales,	1,007	15	4
		<u>44,231</u>	<u>0</u>	<u>11</u>

Medium of net money annually paid for the poor.				
	England,	1,943,649	15	10
	Wales, -	60,588	10	1
		<u>2,004,238</u>	<u>5</u>	<u>11</u>
Net expences in 1776, -		<u>1,529,780</u>	<u>0</u>	<u>1</u>
Increase, - - -		<u>474,458</u>	<u>5</u>	<u>10</u>

Net expences for the poor in 1776, taken from the returns then made to parlia- ment.				
	England,	1,496,129	6	3
	Wales, -	33,650	13	10
		<u>1,529,780</u>	<u>0</u>	<u>1</u>

Heads of particular Expences.

	£.	s.	d.
Medium expences of overseers in journies, attendances on magistrates, &c.			
England,	23,545	0	10
Wales, -	948	17	8
	<u>24,493</u>	<u>18</u>	<u>6</u>
Medium expences of entertainments at meetings relative to the poor.			
England,	11,329	15	11
Wales, -	383	4	10
	<u>11,713</u>	<u>0</u>	<u>9</u>
Medium expences of law, orders, exami- nations, and other proceedings relative to the poor.			
England,	53,757	11	0
Wales, -	2,033	11	6
	<u>55,791</u>	<u>2</u>	<u>6</u>
Medium of money expended in setting the poor to work.			
England,	15,680	14	9
Wales,	211	14	1
	<u>15,892</u>	<u>8</u>	<u>10</u>

The mass of information thus obtained from
that part of the nation, subject to the opera-
tion

tion of the poor laws, digested with great labour by the committee of the House of Commons, which sat for the purpose, and printed at no inconsiderable expence, must surely have given rise to many useful reflections and observations, in the minds of those gentlemen who were on the committee ; although their country has not, as yet, reaped any benefit from their very important labours : they must surely have been struck with the alarming increase of the annual net expences of the poor since 1776, when they were 1,529,780*l.* to the medium of the years 1783, 1784, and 1785, which is stated to be 2,167,749*l.*, a yearly increase of expence amounting to near 500,000*l.*; if they at first sight might conceive this vast difference to have arisen from any extraordinary scarcity, prevailing through the last three years, and examined into the fact, they would have found the average price of wheat, through this period, to have been 2*l.* 3*s.* 7*d.* and that the average price for 1776 was 2*l.* 2*s.* 8*d.* being an excess only of 1*d.* per quarter, or not 2*l.* 10*s.* per cent. which will by no means account for a rise in the ex-

pences of the poor equal to above forty-one per cent. : to other causes, therefore, must they attribute this amazing increased expence, than those which arise from the dearth of provision ; assuming it as a fact that the price of bread corn may be taken with some degree of accuracy, as a sign of the price of most of the necessary viands which feed our numerous poor ; and those who know how the poor live, know also, that bread, in fact, constitutes near two-thirds of the expence of a poor family for provisions : the increased expence of the years 1783, 1784, and 1785 does not, therefore, arise from the increment of necessary expences in provisions.

Neither does it arise, in any great degree, from a deficiency of work or decrease of the price of labour ;—the price of labour remained much the same as in 1776 ; and in this period the American war had began to drain the nation of its population and money, but no great effects had then been felt from it : in the last period, the nation was recovering from its losses ; manufactures were again thriving, and the sensible part of our countrymen were
looking

looking up to agriculture, as a means of recruiting those sources which the waste of war had diminished.

Although, that an increase of expence, rather more than proportional, took place in the great manufacturing towns, is plainly proved from this abstract, in which Birmingham, Sheffield, Manchester, certainly more than keep pace with other towns, where the poor are not employed by manufactures; yet to be certain how this fact will apply, and what principle may be collected from it, the returns from the same manufacturing towns, of the expences of the poor, should be seen, for the last two or three years, during which, our manufactures have flourished exceedingly; from many instances within the county of Suffolk, the poor rates continue increasing, although the poor are, or might be in full employ; for instance, Glemsford, rising gradually from 404l. 5s. 8d. in 1774, to 456l. 7s. 4d. in 1776, to 551l. the average of the three years 1783, 1784, and 1785, to 1062l. 6s. 4d. in 1790, as appears by Mr. Butts' account, in vol. xvii. p. 497. of the Annals of Agriculture; and a similar rise, but in a less proportion, takes

place at Melford, Clare, &c. ; if this is the case in general, other causes than want of work must be sought for.

Another observation must also have struck these gentlemen, or, at least, those among them who act as magistrates in the counties where their respective qualifications, as members of parliament, lie ; that the money expended in *setting the poor to work throughout the kingdom* is but little more than what is spent in *entertainments at meetings* relative to the management of their affairs ; not *two-thirds*, of what comes under the article of *overseers journies, and attendance on magistrates* ; and about *one-fourth* of the sum which is the total under the column of *law expences* ; they must also recollect, that the first section of the 43d of Elizabeth, gives authority to the overseers to raise weekly, or otherwise, by taxation of every inhabitant, a convenient *stock of flax, hemp, wool, thread, iron*, and other necessary ware and stuff to *set the poor to work* ; and that this application of the money, raised by assessment, is the *primary object* in view of the legislature, in that act of parliament, under the authority of which, they perceive, by their
printed

printed abstract, above two millions to be annually raised on his Majesty's subjects, through that part of the kingdom subject to the operation of the act; they must also know that the application of competent sums of money, toward the necessary relief of the lame, impotent, old, blind, and such other of them being poor and not able to work, and also for putting out children to be apprentices, was a secondary consideration of the legislature, and by no means comes into the fore-ground of the piece; and that law-expences, expences of overseers in attendance on magistrates, expences of entertainments, &c. were not in view, or, at least, like all objects in the back-ground, where the perspective is well preserved, were but dimly and indistinctly seen; but that present practice has so reversed all regularity and order in the present system of the poor laws, as exhibited to the committee, that the great object of Elizabeth's legislature is now thrown into the back-ground, and the whole order of the picture reversed: the conclusion, that must be obvious to every one, is, that the 43d of Elizabeth, like Mr. Gamon's Act, respecting out-

side passengers in stage-coaches, although the law of the land, is not the practice of the land.

The total sum falling under the column of expences of entertainments, 11,713l. certainly is not much for the number of parishes in England and Wales; but it leads to the expences contained under the heads of law-business, attendances on magistrates, journies, &c.; these two columns form no inconsiderable total, 80,285l.; when a vestry, which ought to meet and conclude the business of their meeting in a part of the church appropriated for that purpose, adjourns to the neighbouring ale-house, the trifle which they expend of the poor's rates is not all; parish business is the object; at a meeting of neighbouring parishioners, having a common topic to converse about, some soon become interested in defending their opinions; more talk requires more liquor, and their determinations are made, not like those of their German ancestors, *deliberant dum fingere nesciunt: constituunt dum errare non possunt*; but they reverse the order, they deliberate, while they are sober, and determine when they are drunk; hence

hence journies to magistrates, orders of removal on doubtful settlements, appeals to sessions, from thence to the King's-Bench; hence attorney's bills, and enormous assessments. Was no order of vestry good, or no parish officer to be indemnified in expending the parish money in law contests, unless by an order of vestry, signed before noon, in the parish church, after regular notice given, and no adjournment allowed, much of the article of expence would disappear.

Another use may also be made of this abstract; there are some very able, although not accurate, observers of what respects the poor, who have imagined, that the great increase of our expences, relating to them, has arisen from temporary want of work; it may be recollected, that this cannot happen where the employment is agriculture, because this occupation always requires nearly the same number of hands all years, and is independent of any desultory call for work; which may, as all manufactures do, the demand of which is uncertain, give full employment to the poor some years, and leave them to subsist on the poor's rates when the demand for the manufacture

facture ceases; a comparison being made of the medium of net expences of the poor, from the returns made to parliament in 1776, and the medium of 1783, 1784, and 1785, taking the total of five or six of those parishes, which may be known by the person making the comparison, to depend principally, or entirely, on agriculture; the increase on the last medium will be found to rise from thirty to above forty per cent. more than the expence was in 1776, a rise by no means to be accounted for on the principle of the advanced price of the necessaries of life during this interval; and the idea of want of work in these parishes, which are thus selected, as being employed in agriculture, must be thrown out of the case; the effect then must have arisen from some other cause; a cause, I fear, neither tending to the comfort of the poor, nor the credit of the overseer.

That column which contains the medium of expences not concerning the poor, viz. repairing churches, roads, &c. salaries to ministers, &c. amounting to 44,231*l.* certainly ought not have made its appearance in this abstract, because no part of the money collected

lected by assessments for the relief of the poor ought to have been applied to purposes specifically different from those to which the rate appropriated by the 43d of Elizabeth, and which have their different funds provided for them by other authorities; the churchwardens rate repairs the church; the surveyors rate repairs the roads; and the ecclesiastical estates are amply sufficient for providing and paying salaries to ministers: it is, therefore, some matter of surprise, why the poor's rate is clogged with such a considerable sum, which is foreign to its proper application; in well regulated parishes such charges on the poor's rate are not admitted; and many blanks, consequently, appear against individual parishes under this column.

No abstract of the returns made to the second question appears, which inquires what number of poor received constant, and what number received occasional relief? A question of, at least, equal importance to any of the others, as the aggregate would have been nearly, if not fully, a return of all the poor throughout England and Wales; or at the least it would have informed us of the number of those who
have

have been at any time, within the three years, a burthen on the public; why the committee did not inform themselves of this fact; it is no easy matter to guess;—possibly the returns were too incomplete to afford any certain information; but if that was the case, the question should have been repeated from year to year, until the returns had been accurate and full; because this fact must be known before any radical cure can be attempted, as it leads to a certain knowledge of the extent of the disease.

The report from the committee, appointed to inspect and consider the returns made by the ministers and churchwardens, relative to charitable donations, for the benefit of poor persons, in pursuance of the 58th chapter of the same year; states, that it appears by a former report, made under the said act the 23d day of May 1787, that out of near thirteen thousand parishes, from which returns of charitable donations have been required, there were only fourteen parishes that had made no such returns.

That the committee directed an abstract to be made of the returns; but finding, on inspection of the abstract, that a great number
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of the parishes had made defective returns, some by not naming the persons who gave the charities, others by not naming the trustees, others by not describing whether the donations were in land or money, others by not describing the produce of the money, lands, or rent charges, so given. The committee directed their chairman to write circular letters to the ministers and churchwardens of all the parishes, &c. where such omissions appeared, requiring them to send more perfect returns.

The committee then reports, that about 4065 letters had been sent, that answers had been received to about 3376 of them, many of which had given the explanation required; and many others had stated that they could give no further information.

That the committee have caused the produce of the said charities, in land and money, as far as they can be collected from the said returns, to be cast up in each county; by which the annual amount of the produce of the money and land, through England and Wales, appears to be:

MONEY

MONEY.

England, £.	46,173	9	9	
Wales,	2,070	0	8	
				<hr/>
				48,243 10 5

LAND.

England, £.	206,301	8	8	
Wales,	4,166	0	2	
				<hr/>
				210,467 8 10

Making together a total of £. 258,710 19 3

And that the committee had reason to believe, very considerable further sums will appear to have been given for the like charitable purposes ; whenever *proper means* can be found for investigating and compleating those discoveries, by extending the inquiries to corporations, companies, and societies of men, as well as feoffees, trustees, and other persons.

The committee also observes, that upon the face of the said return, many of the charitable donations appear to have been lost, and many others are in danger of being lost, and that the matter seems to be of *such magnitude* as to call
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for the *serious* and *speedy* attention of parliament, to amend and explain the act, by specifying, with certainty and precision, the objects to which they may think fit to direct their inquiries, in order to procure full and satisfactory returns, and *the establishment of such measures as may be effectual for the relief of the poor persons who were the objects of the said donations*; and for carrying the charitable purposes of the donors into execution.

The committee appears to have been strongly impressed with the idea, that much information on the subject was intentionally withheld, and that a more minute investigation was necessary to acquire a sufficient insight into this important branch of the revenue belonging to the poor; when it is recollected, that the inquiry on this head, was made with a view to the best of purposes, that of regulating the application of these estates, which had, from most distant times, been left by charitable donors to the use of the poor; and that the information is required from *those who are the proper guardians of these estates*; and the questions are accordingly applied to the ministers of parishes, and the churchwardens; it

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is a matter of surprise that such faulty or deficient returns were made ; but is it not matter of greater surprise, that the committee should stand in need of more full and satisfactory returns, in order to *establish such measures as may be effectual* for the relief of the objects of the said donation, while the statute of charitable uses, passed in the 43d of Elizabeth, is the law of the land? and which was passed with a view of snatching these estates from the hands of those harpies, who would *then*, as they will *now*, if they can, divert their produce from the poor into their own pockets. This statute passed in the same year as the leading statute which respects the poor, and forms part of a plan, at the time in contemplation ; and a very prudent part it is, to make as productive as possible that revenue which the poor could claim as their *right* ; at the same time as they took from the pockets of their richer fellow-citizens, what that revenue might, when applied according to the intention of the donors, fall short of supplying their absolute necessities.

This statute impowers the chancellor or keeper of the great seal, and the chancellor
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of the dutchy of Lancaſter, for the time being, within the dutchy of Lancaſter, to award commiſſions to the biſhops of every dioceſe, and to other perſons of good and ſound behaviour, or any four or more of them, authoriſing them to inquire, as well by the oaths of twelve men, or more, of the county, as by all other good and lawful means, of all and ſingular ſuch eſtates, and gifts, &c. and of all abuſes and breaches of truſt reſpecting them; an uſeful and neceſſary commiſſion, which, if iſſued in thoſe inſtances where the committee ſuſpects information to be held back, would be equal to every good effect, and preclude all neceſſity for more acts of parliament on this head, either to compel a diſcovery, or to enforce an application of the rents and profits of thoſe eſtates, to the purpoſes for which they were originally granted.

L E T T E R XXIII.

THE history of the Poor Laws, with observations, is the first publication of any consequence on this subject, which appeared in his present Majesty's reign; and the same author's name being in the title page, as in that well known book, Burn's Justice, the reader has reason to expect much information on the subject, nor will he be disappointed. Burn lays the foundation of his inquiry in remote antiquity, informing us how the poor were maintained in this country as soon as we began to enjoy the first dawn of civilization, and proves that the ecclesiastical revenue was subject to the burthen as far as one fourth of the produce at first, and one third afterwards; to this purpose he quotes Kennet's Impropr. 14, 15. and says, that the poor also received
some

some portion of their maintenance from the alms of the people, and from the monasteries.

He then recites, rather fully, all the statutes relative to the poor, dividing them into three heads, servants, &c. vagrants, and impotent poor.

Observations on the statutes, form the fifth chapter ; and here I must express my disappointment, in not receiving any information from this able writer ; at what time, and by what means the poor in particular, and the nation at large, lost their hold on that portion of the ecclesiastical revenue, which he states them originally to have enjoyed. The author of Burn's Ecclesiastical Law was assuredly able to give full information on this important subject ; and it was a necessary part of his plan ; because he is obliged to lay the foundation of the compulsory maintenance, which they now partake of, *in the custom of begging* ; a practice which, in his chapter on further regulations, he very strongly deprecates, and is of opinion it should be utterly abolished : whereas, the custom of begging has its most natural foundation in the want of necessary relief ; an exigency, urgent in proportion as they were de-

prived of their just share of this eleemosynary revenue ; which being withdrawn gradually by the ecclesiastics, the poor were encouraged from the pulpits to beg that maintenance of the people at large, which they had a right to from the estates of the church in a certain proportion ; and which being exhausted, they then might reasonably have been permitted to ask alms from the people, and not before. On this topic he is silent, and tells us, “ that the minister *was to take* all opportunities to exhort the *people* to be bountiful :—houses were to be provided for them by the devotion of *good people*, and materials to set them on such work as they were able to perform :---then the minister, after the Gospel, every Sunday, was specially to exhort the *parishioners* to a liberal contribution :---next, the collectors for the poor, on a certain Sunday in every year, immediately after divine service, were to take down in writing what every person was willing to give weekly for the ensuing year ; and if any should be obstinate and refuse to give, the minister *was gently to exhort him* ; if he still refused, the minister was to certify such refusal to the bishop of the diocese, who was to send for

for and exhort him in like manner ; if he still stood out, the bishop was to certify the same to the justices in sessions, and bind him over to appear there ; and the justices at the sessions were again gently to move and persuade him ; and finally, if he would not be persuaded, then they were to assess him what they thought reasonable towards the relief of the poor : and this brought on the assessment in the fourteenth year of Queen Elizabeth." Such is Dr. Burn's deduction of the compulsory maintenance. Now, it is observable, that whatever of compulsion there might be in this duty of the minister, who, it is stated, *was to take all opportunities to exhort*, it did not receive its sanction from the law of the land, until the 27th year of Henry the Eighth ; therefore, many centuries before that period, it was a voluntary act on the part of the ecclesiastics, who gradually withdrew that portion of their tythes, belonging to the poor, from their use, as they were able by their influence to persuade the parishioners to reinstate by their alms ; and hence arose the necessity of our present poor rates.

That the poor were, during the times of

popery, maintained chiefly by the religious houses, is stated as a vulgar error : “ their hospitality was to the rich ; they were great inns ; they entertained those bountifully who could be bountiful to them again.” With this observation the former part of our inquiries perfectly agrees.

Another fact this treatise states as remarkable, is, “ that every proposal which hath been made for the reformation of the poor laws, hath been tried in former ages, and found ineffectual.”

The antiquity of settlements is deduced from the more antient statutes, and proved not to have originated from the statute passed in the reign of Charles the Second ; the doctrine of removals is also traced from the same sources. But thus much is clear, that from whatever source the idea of them originally sprung, they are themselves an abundant source of expensive litigations.

The origin and progress of the office of overseer is ingeniously traced from the churchwardens, who were the original overseers, and still by statute law continue so ; because the management of the poor, Dr. Burn says, was
at

at first *solely an ecclesiastical matter* ; another proof that the clerical estates constituted the principal fund of their maintenance: “ in aid of the churchwardens, collectors were appointed, and afterwards the overseer.”

Begging is traced from the first statute in the 23d of Edward the Third, “ when none under the colour of pity and alms were to give any thing to such as might labour, under pain of imprisonment,” to the last act of parliament in the 17th of George the Second, which makes it the first step towards vagrancy, “ persons begging within their own parish, being deemed idle and disorderly persons, and to be sent to the house of correction.”

Badging of the poor, which is directed by the 8th and 9th of William the Third, is supposed to have sprung from the military institution, when the nobility distinguished their followers with peculiar ensigns.

What observations there are in Burn's tract, respecting the vagrant laws, relate chiefly to their extreme severity ; it is a matter of self-gratulation, that, in a former part of these pages, the writer should have fallen into a train of similar sentiments on this head.

Rating the wages of servants by statute, has also fallen under our consideration; no additional information is to be found in his observations on these statutes, except the assertion, that by the experience of four hundred years, it appears, that the regulating the prices of work leaves no room for industry and ingenuity; "for if all persons, in the same kind of work, were to receive equal wages, there would be no emulation."

The cloathing of the poor, in antient times, is discussed; and, from the argument, it appears, that the statutable cloathing, in the reign of Edward the Third, for handicrafts and yeomen, was not to exceed 4s. 6d. a yard, or thereabout, estimating by the money of the present times; for which price a strong and warm cloathing might still be purchased.

This tract then gives an account of the different schemes for reforming the poor laws; and goes at some length into Lord Hales's, Sir Joliah Child's, Mr. Cary's, Mr. Hay's, Mr. Alcock's, Anonymous, Lord Hillsborough's, Sir Richard Lloyd's, Mr. Fielding's, and Mr. Cooper's plan; all which have been already explained in the former pages of our
strictures

strictures on this subject. We then come to the seventh chapter, in which the author proposes farther regulations.

“ Thus,” he saith, “ hath the wisdom of the nation, in parliament, and of individuals, been employed in providing properly for the poor ; and yet they are not properly provided for.” The fact is true ; but it ought not to induce an opinion, that it is impossible to meliorate their situation, and lighten our burthens.

Est quoddam prodire tenus.

Two particulars, he says, should be rectified, until time and experience suggest further alteration : first, to prevent the nuisance of common begging :---the means he proposes are, give them nothing ; “ if none were to give, none would beg, and the whole mystery and craft would end in a fortnight :” and in order to bring this about, he would have all who relieve a common beggar be subject to a penalty. Surely the principles of liberty, policy, and humanity, all equally militate against such a regulation ; experience also has proved its insufficiency for the purpose : in times of ignorance the experiment was made, and found ineffectual,

that the overseer should collect the rate, and it should be applied under the direction of the superintendant, whose business he more particularly points out.

To assist this purpose, he recommends monthly sessions to the justices, at which the churchwardens, overseers, and superintendant should attend, give in their report, and receive further orders; and those who think themselves aggrieved at these district sessions should have a right of appeal to the quarter sessions.

To insure attendance, he proposes that the justices should be allowed half a guinea a day out of the county stock, and says, that these monthly sessions might also be useful to carry into execution the acts of parliament respecting the highways then in force, together with that variety of business, which is now the employment of justices at their common meetings or special sessions.

A curious instance is mentioned from a book of "the Police of France," written about 1753, which proves, that at the same time the French were anxious that their police, respecting the poor, should be put on the same footing as our English poor laws, several proposals

posals were published in London recommending such a method of maintaining our poor as was then practised in France; viz. by general hospitals in provincial towns; exemplifying, in a very strong light, the truth of Horace's maxim,

—————. *laudat diversa sequentes.*

The French mode, he very properly observes, will annihilate all family connections, and will create a *populus virorum*, and a *populus mulierum*, which at the same time that it lessens the number of the poor, will tend to depopulate a kingdom.

A county, instead of a parish settlement, provided the poor could be maintained on a county plan, he thinks might be adviseable; but that the idea of settlements should not be abolished, “only restrained, to the place of birth, or of inhabitancy for one or more years, and that such a restriction would tend to abolish certificates by destroying the cause of requiring, granting, or denying them.” How this would be effected by restraining settlements to the place of birth or inhabitancy, for one or more years, I confess myself not able to see; that the number of law suits, to ascertain the settlement,

settlement, might be diminished, is plain, but that certificates to authorise the pauper to live elsewhere, would be as necessary as at present, is also equally obvious.

A reduction of all the poor laws into one is recommended ; as is also a reduction of the highway laws into one. The last alteration has been effected by the 13th of the present king, chap. 58. and has undoubtedly much simplified their use and operation, and rendered them, in most instances, a practicable and useful code—equally good effects would arise from a simplification of the poor laws. A code of acts of the legislature, militating in some instances with each other, whose several dependencies and connections are not easy to be discovered by a superficial observer, or temporary officer, who must pick his duty out of the Statutes at Large, forms no bad apology for ignorance ; and ignorance, at the same time that it excuses neglect, becomes also a cloak to interested mistakes.

These are the chief notices which the author of the History of the Poor Laws has made on the subject ; there are some other observations on the defects of the law, under the

the administration of justices of the peace, which do not immediately relate to the poor, and therefore may very properly be passed over, more especially, as it is apparent from the small sale of the book, although sanctioned by his well known name, that it is by no means a subject which has excited much attention, or is generally studied, although it very intimately concerns all-classes of people.

In 1764, a pamphlet, published by Becket, *Observations on the Number of the Poor, and on the heavy Rates levied for their Benefit*; starts an idea on the subject, that, whether true or not, proves some theoretic principles in the second part of *Pain's Rights of Man*, to have no claim to originality.

“ The law of primogeniture creates poverty; and poverty, thus created, is supported by the state; therefore, however the name and thing may be qualified, the genteel poor being maintained by their country, is analogous to the vulgar poor being cast on the parish.

“ Hence arises all the danger to our liberties, such as they are, and the progressive retrenchment of them; these are the men whose
attention

attention is continually turned to enslave their country ; and it is a natural circumstance, arising from the circumstances they are in, which if they do not amount to a justification, yet must be admitted as an alleviation. What is a country to those who inherit from it nothing but an obligation to hold up an empty rank ? When such are attached to the government for bread, what is more natural than that they should exert their talents to render their dependence as permanent as possible, and endeavour by all advisable means to strengthen and enlarge the power of administration over the people ? As families increase, the number of political geniuses so subsisted, and so employed, and who so employ themselves, in order to be subsisted, vastly outnumber those attached to the cause of their country by their landed possessions, and who are but the units of their respective families ; hence arises the necessity of multiplying taxes, which, however refined and plausible the pleas for them may appear, spring in a great measure from the obligation to provide for the numerous branches thus lopped off and denied any share of nourishment from the family stems."

This

L E T T E R XXIII. 297

This writer so entirely loses the avowed purpose of his pamphlet in the title page ; so neglects the interests of the *real* poor, in attending to the political consequences resulting from the number of *genteel* poor ; that it is futile to follow him any farther in a subject which opens a field of argument vastly too extensive for this publication, and foreign to its intention.

END OF THE FIRST VOLUME.

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